

AN
ANSWER TO
A CERTAINE LIBEL
SVPPlicatorie, OR RATHER
Diffamatory, and also to certaine Calumnious
Articles, and Interrogatories, both printed and scattered
in secret corners, to the slaunder of the Ecclesiasticall
state, and put forth vnder the name

*and title of a Petition di-
rected to her
Majestie*

Wherein not onely the friuolous dis-
course of the Petitioner is refuted, but also the
accusation against the DISCIPLINARIANS his clients
instiged, and the slanderous cauls at the present
gouernement disceypled by
Mattheu Sutcliffe.

These dreamers defile the flesh, and despise gouernment, and speake
euill of them that are in authoritie. *Iude vers. 8.*

Et si loqui nesciam, tacere tamen non possunt. Hierom.
Neither can they well speake, nor wisely holde their peace.

שִׁים מַעֲשֵׂה זִמְרִי וּמִבְקָשִׁים שָׂכָר כְּפִנְחָם

They pretend and seeke the reward of *Phineas* zeale, but doe the works of *Zimri*.

Imprinted at London by the DEPUTIES
of CHRISTOPHER BARKER, Printer
to the QUEENES most ex-
cellent MAIESTIE.

ANSWERS TO

QUESTIONS ASKED BY THE

COMMISSIONERS OF THE

LAND OFFICE IN RELATION TO

THE PROPOSED RAILWAY

FROM LONDON TO

THE SOUTH COAST

IN ANSWER TO A RESOLUTION

PASSED BY THE HOUSE OF

COMMONS IN 1825

AND TO A RESOLUTION

PASSED BY THE HOUSE OF

COMMONS IN 1826

AND TO A RESOLUTION

PASSED BY THE HOUSE OF

COMMONS IN 1827

AND TO A RESOLUTION

PASSED BY THE HOUSE OF

COMMONS IN 1828

AND TO A RESOLUTION

PASSED BY THE HOUSE OF

COMMONS IN 1829

TO THE HONORABLE
SIR EDMUND ANDERSON,
LORD CHIEFE IUSTICE
OF HER MAIESTIES
COURT OF COMMON PLEAS.



Lthoug (my good Lord) I cannot without grieſe remember the dangerous and hurtfull effectes of the late ſtirres, which certaine factious perſons haue made, both in the Church, and common wealth about the new conſiſtoriall gouernement; yet ſeing diſeaſes cannot be wel cured, vnleſſe they be made knowne; nor well knowne, vnleſſe the patient declare them: I could not re-

fraine from vttering them, being one of that Church and ſtate, that hath ſo long ſuffered them. yea though not I only, but all others whom they concerne, ſhould of importune ſhamefaſtines conceale them: yet would they not, being ſo great be concealed. It is well knowne what ſcandale thereof hath growen to religion, diuers wicked perſons are thereby confirmed in their atheiſme: weake chriſtians are either driuen backe to poperie, or diſcouraged from coming forward to embrace religion: the Seminaries abroad are replenished with many towardly ſchollers ſeeking that abroad, which they diſpaire to finde at home: ſectes & euil opinions growe vp, lyke noyſome weedes in diuers corners; thoſe that ſhould and would reſpreſſe them, are by domeſticall ſtirres of ſecret enemies thwarted & hindered: The Papiſts take thereby incouragement, and hope for in-
nouation. ¹ Sanders in his booke, as he calleth it, of ſchiſme, doth bragge, *That through theſe contentions the Romanifles dayly multiplied among vs, and grew more reſolute.* they alſo from theſe domeſticall braules made by ſome againſt our Church doe drawe an argument to harden mens hartes againſt religion, and the authors of religion, both ² Vlenbergue, and Roſſe in their ſeditious treatiſes againſt vs, doe much inſiſt vpon that poynt: and it is a common obiection made by

¹ De ſchiſm. lib.
3. quo bello Ca-
tholici indies plu-
res, conſtantio-
reſque in ſide
hunc facti, ſcrib-
it, ſpeaking of his
ſaſſe Catholikes,
and Romanes per-
uerſe ſaith.
² In lib de cau-
ſis cur catholi-
cis, &c.

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the enemy; yea a matter not lightly feared of frendes.

For learning hath lost almost all reputation, while these vnlearned and vnwise consistorians declame against learning, and seeke no further diuinitie, then *Calsius* and *Bezaes*; and Junius his glosses and commentaries, and without ground of learning and artes, as it were with vnwaschen feete, enter into the Lodes sanctuarie, while the fathers and auncient writers of the Church are despised, and every man taketh vpon him to interpret scriptures after his owne foolish conceite, and forceth them to serue their owne changeable humors; they runne into diuers daingerous opinions. I reporte me to the strange doctrine of *Fenner* and his Maister *T. C.* in their new booke of Consistoriali diuinitie. of the lawe, gospel, sacraments, and ecclesiasticall gouernement, there is scarce any poynt deliuered without error, but those are faultes of a lighter marke in respect, of poyntes concerning the diuine essence, and the Trinitie, whereof they talke strangely. In the ¹ diuine nature they confound essence, and person; and denide the persons of the Trinitie into two members; and make the sonne together with the holy ghost to proceede from the father: where all religion saith, that he is borne of the father, which is the characteristick difference of that person. further they affirme that the holy ghost proceedeth from the father, without mentioning the sonne. they teach also that hatred as it is attributed to God is the essence of God. And while they would commend their fond preaching, and disgrace the scriptures: *John Penrie* ² one of the great disciplinarian prophets, cyther like a dolt, or (if he defend it) a blasphemous heretike *Maketh Christ to be the word preached, therein destroying Christes eternall essence, and diuinitie. in* ³ their Communion booke they haue taken out two articles of the Creede; namely that of Christes buriall, and Christes descending into hel, and added a new Article: viz, of their new fantastickall discipline: a compendious and short way to erect their new kingdome. for articles of our Creede are rather to be beleueed, then to be disputed of. In their Creede also, they make Christ to be borne of the virgine according to the flesh, diuiding Christ into two persons with *Nestorius*. lastly (for here I meane not to speake of all) they forget *A petition in their braue paraphrase of the Lords prayer.* which matters are very shamefull, and yet not to be denied. for their owne worthles bookes conuince them.

While they haue refused the olde order of preaching, and followed the stile of *Bezaes* vaine, and verball sermons, whereof I, and ma-

* Theologia sacra.

* Theologia sacra lib. 1.

* Ibidem.

* In his supplicat.

* The booke was offered to the parliament by common consent of this faction: that it might through out England be received.

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my others that haue heard, and read them are witneses; their expositions be eyther verball, or fantastickall, or both. their prayers for the most part are disordered fancies, yea some times malicious inuectiues, full rather of wordes then deuotion; conceiued without studie, and vttered without iudgement: which kinde of ¹ verball babling Christ ¹ Math. 6. y. condemneth as heathenish.

To leaue matters of the Church, we see how schooles are decayed, and how both learning and rewardes of learning are dayly diminished: and all this while these vnworthie fellows first thinke that all learning is contained in *Caluins institutions*, and *Bezaes opuscula*, and secondly measure every mans merites by their owne foote, and allow no more to others, then they suppose they deserue themselves, taking away all hope of honor or rewarde, by making the ignorant iudge of the merite of learning, and talking of certaine strange positions of fortie pound pensions, as if fortie, or a hundred pounds yeerely were the vitermost reward, that learning coulde deserue: and euery other sort of men were worthie of most high rewardes, and preferment. the number of schollers decreasing in both the Vniuersities doth declare how much men are discouraged; and examples of this sacrilegious discipline otherwhere receiued, doe shewe what further wracke is to be feared hereafter.

The gouernours both of Church and schooles are contemned: I would I might not say discouraged. they are made markes for licentious youthes armed with malice to shoote their boltes against. the lawes are not onely contemned, but most boldly oppugned: yea with such confidence, that law is now accounted disorder, and faction and tumult, termed ² reformation: and libellers in euill time called reformers, what resteth for them to worke, but that al wise, and learned men being put from gouernement, the seely sots which these call elders, and certaine famous authors of popular faction should be placed in the highest offices, or else that lawes being not executed, or Iudges crossed in executing of iustice, the contumacious might liue as they list: wherein they seeke nothing, but that eyther the sorreyne enemy may oppresse vs, or els inward tumult, and disorder consume vs.

² Petition to her Maiestie,

But I doubt not but her Maiestie, and all those that beare office vnder her, will take speedie order. that it is not already taken, many do wonder, some doe complayne. but the clemencie of her Maiesties times, and her benigne nature doth afford vs answere, she will not

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haue any complaine, that in this case, any are punished, but such as are obstinate, heynous, and notorious disturbers of the state. because they were not at the first known for such, thee would not haue them punished for such, besides this, the height of the stile, and the loude bragges they made of their discipline, made many belecue, they did it eyther of simplicitie, or zeale, or error. few suspected the greedines of some, and malice and ambition of others: their notorious hypocrisie could not of long time be discouered. but now their leudnes is apparent, and their false visage is dismasked. let them therefore beware, that they abuse not the clementie of the times, or hope for continuance of vnderferued fauour.

The vanitie of their bragges, and weakenesse of their cause is euident to all, that are not eyther wilfully blinded, or naturally ignorant. All the demonstrations of their discipline are discifred, and stand confuted. they doe not so much as goe about to defend them. their whole plots of false discipline lye razed. they cannot say a word for them: in this late petition wherein they had occasion to shewe their skill, they haue not so much as answered one argument brought by vs against them. as in a desperate cause they haue intreated *Beza* to say somewhat. wherein we may see that their forces are spent to the last man. yea so spent, that they haue no hope of recouerie. for what saith he good man? hee telleth vs a long tale of his *Genemian* deuises, but neyther doth hee answer our arguments, nor bringeth scripture, fathers, or reason for his cause. vnlesse wee belecue him on his bare word, the controuersie is at an end. call you this answering? this is rather the playne ouerthrowe of his cause. for while hee went about to answer, he hath confirmed our cause saying nothing either for himselfe, or against vs, but what he in his olde age dreameth. where was *T. C.* that valiant champion of discipline all this while? where was *W. Tr. W. Ch. D. Sp.* could not one of them speake for their cause, but they must send to *Genena* for a speaker? it is too great, and notable a confession of the weakenesse of their cause.

As for him, or (that I mistake not) them that made the petition lately printed, and pretended to be presented to her Maiesie on the behalfe of the Puritans; they doe not deserue the name of speakers: vnlesse it be among Puritans; where euery one that can prate, is sayde to speake. For what say they for their cause? their onely reason is, because *Caluin, Beza, Danew, Carpentier, Golart, Poros, Taurigues, Pol-*
lan,

The defence of
Beza made for
his Aldermen
most weak, and
simple.

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lan, Smeccan, and a number of other authors (of whose names and gestures we should neuer haue heard, if these mē had not in this cause brought their names to light) *doe speake somewhat for their consistorie, that therefore we are to like of it.* A goodly reason: yet such a one, as I thinke they will not admitte against their discipline. For albeit Master R. M.B.M.G. M.A. M.H. M.D. M.W. and infinite other learned, and good preachers among vs, (yea such, as one of them is to be vaded against many of these ignorant and presumptuous disciplinarians) do like of the present gouernment: yet are they not therewith satisfied. nay, albeit all the ancient Fathers, and acts of Counsels do like of the auctoritie & gouernment of Bishops: yet are these fellowes stil contending against it. That the same was established by most learned and godly men, that in Q. Maries time gaue their liues for the testimonye of the trueth, they litle weigh: nay, they neither care for them, nor their authoritie.

With what face then can they alledge *Golar, Pollan, Smeccan*, and a number of birdes of like feather, and men neither wise nor learned, nor that haue ground of antiquitie or reason; seeing they renounce not onely the authoritie of our men more learned then they, but of our Martyrs more holy men then they: yea and all the writings of the Fathers, and actes of Counsels speaking of the authoritie and state of Bishops, and such a gouernment as we haue? In times past they were wont to tell vs of certaine lawes established by God himselfe; and made vante, that they would proue their discipline out of Gods word, Why then are they now mute? why are not these lawes, and this worde brought forth? why are they silent in bringing forth these mightie reasons? when all is come to all, must we rest on *Golar, Pollan, Tanergues* and *Smeccans*, & three or foure odde companions idle conceits? there can nothing be devised more absurd, nor sencelesse.

Therefore hauing nothing to say in defence of their cause, now in a desperate rage they begin to reuell not onely at Bishops, but also at Lawes and Iudges, and the ordinarie tryals of this Realme. The drift of the petition is to shew, *that Iohn Vdall was wrongfully condemned.* they insinuate therein, *that the Iudges were either corrupted, or blinded, and that the evidence was wrested.* They say in plaine tearmes, *that Iudges haue no skill to deale with such fellowes as Iohn Vdall:* another kinde of man percase, then he is taken to be. Is hee trowe you any of *Hackets* or *Coppingers* consortes? to bring Bishops into hatred, they haue

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after their petition collected diuers Articles, and by them and by certaine calumnious interrogatories haue gone about to bring them in disgrace with the multitude: that if they cannot haue their desire of their celestiall consistorie; they may be yet reuenged of such, as they take to be the hinderers of their purposes.

Whose malice to encounter, as before I haue answered their caulls against the ecclesiasticall gouernment of our Church to the vtter disgrace of the Consistorie: so now hauing other occasions to print a discourse against *Bellarmino*, and forreine aduersaries of our Church, I haue thought good to recreate my selfe with this more easie labour, and to answer their caulls at our proceedings in law: together with such authorities as they bring for the prooofe of their consistorie, to the finall discouerie of their vnbrideled malice: that all seeing the nakednesse of their cause may ioyne together to extirpate the reliques of those, that haue bene causers of these stirres.

Against this my purpose, I doe vnderstand, that diuers exceptions are taken. First, those that fauour the consistoriall discipline, doe say I withstand a noble worke of reformation; and therefore cannot like of my doings. but vnto these this whole treatise shall make answer: for thereby it shall appeare, that their whole course tendeth rather to confusion, and disorder of Church and state, then to reformation of eyther: and therefore seeing they doe declare themselves open enemies both vnto the present state, and to me in this cause, I doe not regard what they like, or dislike. no doubt, but that open enemies will like that best, which for the State is worst, and greatly praysie that, which tendeth to the hurt thereof.

Others there are, that condemning all those discourses, that are writen of both sides concerning this argument, which albeit they would seeme to be friendes: yet in deede are enemies, as well as the other. For no more is he an enemy that oppugneth vs in plaine field, then hee that trecherously seeketh to discourage such as are forward in mainteining the State at home. and albeit they would colour their malice with pretence of detestation of contention among friendes; yet doe they vs wrong, to accompt them that oppugne the state, friendes; or attribute the cause of contention to vs, that onely defend the State against contentious, and malcontent persons, such as would ruinate the same. for not those that defend, but those that begin the braule are contentious. Were it not thinke you a ridiculous thing for

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a man to say, that valiant men that fight for their countrey, are contentions; and a poynt of trecherie to discourage them? why then should not the like bee thought of those that condemne them that write in defence of the present government, of religion, and learning, in like degree, as if they had writ against the same? These men are sorie that any should stop the breach against such, as seeke to enter to make spoyle, and therefore, as secret enemies, or weake persons, that neither vnderstand matters of State, nor reason, are to be concerned, if not reprov'd.

A last sort there is, that percase mislike the sharpenesse of my stile, but they must consider, that in this discourse I deale not against men of learning, or grauitie, or such as desire to learne, or finde out trueth: but against ignorant, wilfull, and seditious Libellers, that seeke partly by falshood, and partly by disgrace of some bad persons vnworthy of their places to discredite the whole ecclesiastical state: against whom no sharpenesse of stile can be sufficient. but I did respect rather what became me to speake, then what they deserued to heare.

This discourse I present to your Lordship, a man well acquainted with the humors of the men, and weakenesse of their cause, & a Iudge most skilfull in law. Vnto whom should wee seeke for resolution in law, and redresse of wrong, rather then to him that beareth so honourable a charge in matters of Iustice? vnder your name I would it should come to the handes, and viewe of all other reuerend Iudges, learned Lawyers, and well affected subiectes. Wee desire nothing more, then that matters may bee examined according to iustice, and doubt not, but if that may be obtayned, that the controuersie will bee ended, and the calumnious mouthes of factious persons stopped, for seeing the platformers haue neither support of trueth, nor law; what man will doubt, but that they are to be repressed aswell by Iustice, as by disputation and discourse?

That is the meanes to ende all our complaynts, the remedie of our common griefes, if the perturbbers of our State at home were first calmed, I would not doubt, but forrein aduersaries would soone be danted, and the mindes of friendes vnited, to the ioy of all that loue the trueth of Gods religion, and seeke the long continuance of her Maiesties peaceable reigne, and the flourishing state of the Church.

Accept therefore I beseech you, my good Lord, this my good will, which I testifie vnto you in this Treatise, Due it is to you, being so

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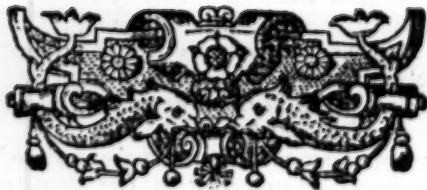
forwarde and vpight in matters of Iustice, and was expected at my handes being specially touched in the petition which I answer, I make your Lordship and all the learned, yea all indifferent men iudges. Iudge therefore according to iustice and trueth. There is no reason I should require fauour in this cause, further then my simple skill, and vn sufficient handling of matters for want of time, and being oppressed with other businesse shall require fauour.

The Lord send peace to his Church, and heape vpon you, and all others that loue his trueth, all heauenly graces, that by your meanes enioying the benefites of true religion, iustice and peace, wee may consent in one trueth, and ioynly in his holy Church glorifie Christ Iesus the Prince of peace.

In London the 20 of December,

*Your Lordships in all due tie, and
heartie affection,*

MATHEVV SVTCLIFFE.



The Preface wherein both the argument of the discourse ensuing is deliuered, and certaine generall faults of the petition, touched.



Had once well hoped, that eyther the authoritie of the Magistrate could haue commanded, or the terror of the common enemye, that so violently doth assaile the whole Church at this time, would haue enforced the contentions to make an ende of their braules: and if neither reuerence of superiours, nor respect of common profit could put them to silence; yet did I imagine, seeing they haue nothing to say, that discretion, and common sense would make them to hold their peace. how much my expectation was deceiued this petition which I haue here vnderaken to answer, doth declare. for without respect to lawes, or common profite, yea or common reason, the author thereof hath put forth himselfe to speake. a man as you shal see without reuerence to superiours, or conscience in reporting of lawes, or iudgement in matters diuine or humane, and most vnable to speake, or write in this, or other argument.

To goe no further, this his petition shall make prooffe of my words. for neither is there art in his stile, nor witte, or sharpnesse in his arguments, nor is there any decencie obserued in the discourse: nor doth the treatise agree with the title, nor the parts thereof with themselves. the stile is like Iohn Bels song of Couentrie, the sentences hang together like lenten deames: first, he kneeleth on his knee, then asketh pardon, afterward telleth of all good subiects, how they desire peace, (and yet notwithstanding he telleth of many that increase contention,) then he talketh of writing of bookes, of generall counsels, and a newe kind of disputing by writing: matters that neyther haue coherence among themselves, nor with his general purpose. hauing made this absurd entrance, he proceedeth more absurdly. his arguments are all drawn from authoritie, of late writers: a weake kind of reasoning, and good for nothing: yet as if hee had sayde very much, stoutely doth he reuel at Bishoppes, Iudges, lawes; and quarrelleth against the state: afterward hee gathereth certaine noes of his owne discipline, which vlesse you receiue of his bare word, you stop all his glorious proceeding: last of all he layeth downe certaine articles, and interrogatories. It

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should seeme he hath bene eyther a pettie fogger in law, or a clerke in some office: or hath bene furnished with these matters by some odd: clerke, or pettie fogger. nothing is more simple, nor clerkely, nor worse be seeming men of learning. there is in his writing no good comse of words, no good frame of sentences, no sufficient proofes, no order nor sequence of parts.

His arguments yet are worse then his stile. to proue the consistorie and his new conceits of discipline, he alledgeth first, that the gouernment of Byshops is not so exquisite, but that somewhat may bee amended. as if it followed because men doo not their duties, or because there are imperfections in men, and in proceedings, or want of some lawe: that the state were to be ouerturned, and a newe vncouth and vnruly gouernement by Churchaldermen to be imbraced: or els, as if a man should say, we were to be gouerned by the lawes of Turkes or Iewes, because of the faultes of the common lawes, may rather let lawes stand, and such Turkish and barbarous conceites of generall inuocation bee corrected, and faultes of lawes amended.

Secondly he bringeth in a packe of authorities against Romish bishops: as if eyther the ancient Bishops of Rome, or the late Bishoppes that preach the Gospell, were to be measured by the wickednesse, and tyranny of the late Romish Bishops: or gouernment were to be taken away, because it hath bene abused. thirdly he produceth the opinions of Caluin, Beza, and a packe of others: most of them vnlearned and vknownen, as if it were reason to follow them against all antiquitie; or as if the gouernement of the Church stood vpon opinion, not vpon scripture, and ancient lawes, and customes. Before times these fellows told vs of a discipline commanded in scriptures; this fellow telleth vs of certaine fancies of Caluin, Beza, and certaine obscure authors newly brought out of corners into light, and yet can he not shewe, that any of these whome he hath alledged, doe in all poynts consent with our platfarmers. to proue that his partisans offend not against law, he alledgeth diuers of their opinions: as if it were an excuse for heretikes to say, they beleene well in some few poyntes. what punishment then do they deserue that offend both in the opinions alledged, and diuers others concealed? finally to prooue that his fellowes offending against lawe, are not to be punished, he sheweth that Bishops also offend against Lawe: as if the offence of one, were to be an excuse for another, or as if a man offend in any small point of law, and that not of malice, it were lawfull for these fellows to ouerthrow all lawes, and that of selfewill, and malicious purpose.

There is no decorum obserued in the whole discourse, the petition is
suppo-

to the Reader,

supposed to bee made by the author kneeling before her Maiestie, yet doth he often speake to others, and quarrell and dispute with those that are absent, as if a man making his petition to her Maiestie should suddenly rise up, and quarrell with by standers. which not onely is a poym of absurditie, but of the authors old frensie.

Secondly what is more unseemely, then before the chiefe gouernour to plead as doth the petitioner; that all his gouernment is leud, & antichristian, and that his lawes are deuoyde of reason, and that iudgements giuen are vniust, and ought to be reuerfed, and most odiously to raile on the state and gouernours?

Thirddly seeing this petition is directed to her Maiestie, to what ende is the same put in print? belike the mans purpose is, that so much as the Queene by wisdom shall denie, the people by force and furie shall establish, which in deede is his drift, for the same was neuer presented to her Maiestie, but onely to the people.

Fourthly, nothing is more absurde, then to handle matters of controuersie by way of supplication, seeing he disputeth, he should rather haue come in schookes, then in courts; and before Lawyers, then courtiers.

Lastly a very vndecent thing it seemeth to me, that a man not conuersant in studie of diuinitie should teach diuines, that a disordered companion should controll gouernours, and lawes: that a man lately distracted of his wit should teach law and order, neither knowing order, nor lawe, which course if it may be suffered: it is but folly to studie diuinitie or lawe, or to maintaine gouernement; and a bad incouragement for iudges to do iustice seeing euery ignorant & disordered companion shal take on him to controul them and to teach lawe, & to gouerne as it were by reuelation, inspiration, and fancie. what should be the cause that this base fellow should come forth, I know not: vlesse this be it, that all that were wise foreseeing and eschewing the danger, this bedlem writer shal neyther forsawe, nor save any thing being armed with diuers collections of others should say something, if for nothing els, yet to make shew, that they can say somewhat.

The treatise answereth not to the title, for where hee promisseth therein to deliuer a meanes how to compound matters; in the whole treatise he doth with all his force endenour to enkindle warres, he rayleth on gouernours and lawes, controlleth iudges, and goeth about to reuerse iudgements, and would if he could; overthrow all the ecclesiasticall states: which fauoureth rather of a humour to fight, then to compound, and yet is not he the man that must bee the leader of these consistoriall warriors, being but a

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vagazzo fit for nothing but to cary baggage.

In this his booke hee fighteth no more against *vi*, then against himselfe. he sayth hee will neither speake to ouerthrow Bishops, nor to erect consistories: yet doth he his vitermost malice against Bishops, and speaketh what hee can for Consistories: and yet nothing to purpose. hee professeth hee knoweth not whether part hath better grounde, wherein like a simple fellow, he not onely confesseth he speaketh of matters he vnderstandeth not, but also contrarieth himselfe in denying that hee professeth, in the very first entrance he saith, that all her Maiesties louing subiectes, that loue religion, honour her Maiestie, and doe desire the good of the Realme, doe heartily bewayle the contention of our Church: wherein hee pronounceth sentence against himselfe, and his consories, as neyther louing her Maiestie, religion nor the State, for seeking to enflame this contention by scurrilous libels, and interrogatories, how can it bee surmised, that they doe bewayle, this contention? do men bewayle, that which they doe? or doe men seeke peace, that against good men throw out their bolts, euen bitter and slanderous words?

Besides the former, the libeller hath also these fautes, most fault hee abuseth scriptures: most shamefully hee alledgeth authors, most ignorantly hee talketh of lawe, and maliciously reuellet at the ecclesiasticall state, in the first page hee abuseth three places of scripture, the wise man sayth, open thy mouth for the dumbe &c. by this place he would iustifie his babbling in this treatise, but nothing is more impertinent to his purpose, then this sentence. for the wise man would haue innocents, that cannot speake for themselues defended by order, and iustice, by such as can speake. neyther may wee thinke, that it was his meaning, that euery seditious person should gape and rayle against Lawes and Gouernours for doing iustice, or that malefactoris should be defended against lawe, and iudges. how can then this place agree to his purpose, seeing those men whome the libeller defendeth are not innocents (for they were condemned for felonie, and tryed according to the lawes of England) neyther were they mute, when they reuelled against gouernours, nor was Iohn Vdall condemned, but for speaking too much: nor is this busie behaviour of this companion any way allowed, nor sedition or libelling priuiledged?

The Prophet sayth further, that because hee beleued: therefore he spake. which the libeller turneth answere, and woulde drawe to this his treatise. but it fiteth not, for this petition is no answere, but rather a rayling

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rayling libell, or challenge, neyther proceedeth it of faith, but of a foolish disordered conceite of a distempered brayne, not yet well seasoned, since the authors last bedlem fits, and if this bee his beliese, then is his faith built upon fancie, and upon that which himselfe confesseth, he knoweth not.

Neyther doth it appertayne to his purpose, that the Prophet sayth, that for Sions sake he will not hold his peace. for it is not the cause of Sion, 141. 63. nor any good cause, but sedition, faction, fancie, conceit, and opinion, that by him is here defended: & that to the great scandale of all the watchmen of Sion, yea of all that pray for the peace of Ierusalem in the end of his articles against Bishops, as if hee were ravisht in an ecstasie hee exclaimeth: how long Lord holy and true? and faith, come Lord Iesu, which sentences make much against him. for all good men desire, that God would trie the cause, and that he in iudgement would visite the perturbours of this Church, which if once it shal please him to determine to doe, then shall hee and such vipers as hee, that fret the bowels of the Church which nourisheth them, be discovered, punished, & rooted out. these may serue you for a tast, the rest of his forgeries, and forcing of authors shalbe touched, as they shall offer themselves in their place.

Neyther may wee thinke, that he that maketh so little conscience to abuse, or dally with the scriptures of God, hath vsed more religion in handling the writings of men, for example; to prooue the aldermen, of his Church, & their proceedings, he hath alledged Luther, Zuinglius, Melancthon, and many others that are contrarie to these men in their discipline, and neuer knewe such aldermen, as he speaketh of. neyther doth Caluin, nor Beza ioyne with him in his severall poynts of discipline. therefore doth he alledge them in grosse, and abuse his readers with a shew of names, the like abuse shall appeare in his quotations of lawe, which he by forging and hying maketh to speake contrary to lawe.

Little doth hee understand of lawe, hee neyther knoweth what proceeding of office meaneth, nor what is lawe in ministring of othes, against which hee argueth: neyther any one poynt of common, ciuill, or Canon lawe, of which hee so much standeth, but whatsoever his knowledge is in lawe, his malice in rayling against the state is singular: all which poyntes as they are touched here in a generalitie, so hereafter shall bee more particularly layde open, and most of his misallegations, falsifications, malicious slanders, weake proofes, and proceedings answered, not that eyther the author, whose insufficiencie is notorious, nor the discourse, the weaknesse wherof is too too pitifull, deserueth any answer: but least

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that the simplicitie of the ignorant, who is easily misled with these great shewes might be abused, or iustice be by opinions controlled. herein also all men may vnderstand the weakenes of the cause of the Consistorie, the boldnesse, malice, and falshood of the Consistorians, and such as contend for it, and how fit it were, that such as are also together vncapable of reason should be gouerned, if not enforced by lawes.

The author what soeuer he pretendeth for colour, proposeth to himselfe to proue diuerse thinges: First, that the Ecclesiasticall gouernement of the Church of England is to be changed. for that doth he meane by reformed. Secondly, That an Eldership should be established among vs, as being a gouernement vsed in the ancient Church, and commaunded to be continued in all ages, and so the end that his reasons may be weighed, he craueth disputation by aduised writing. Thirdly, he mainteineth, that the disciplinarian faction hath not offended against the statute of 23. Eliz. c. 2, and that *Iohn Vdal* was vniustly condemned, Fourthly, he would declare, That the consistoriall patrons are vniustly slandered with desire of innouation, and their doctrine with disloyaltie or disorder, and endeuoreth to excuse himselfe for not declaring himselfe, nor setting his name to his petition.

Lastly, by diuers Articles, and questions, he goeth about to bring the Ecclesiasticall state into enuie and hatred; That while men are busie in examining their faultes, his clients of the new disguised discipline may escape in the darke, and without danger vndermine the estate.

To meete therefore with his malice, and to encounter him in all his turnes, I doe purpose by Gods grace to shewe; First, that the gouernement of the Church of England is most conformable to the practise of the gouernment, both vnder the lawe, and the gospell, and hath testimonie of scriptures, confirmation of antiquitie, and was neuer gaine said, but of late dayes, when factious companions, and clouters, and tinkers, and marchants, and men of occupatiō aspired to Church gouernement; and that the canils and proofoes brought by the petitioner against it, are fond and foolish:

Secondly, that the noueltie, vanitie, iniustice, and inconueniences of the new gouernement are such, as cannot stand with any good, or well ordered state, wherein also the insufficient pleading of the petitioner for the Consistorie shall be refused: thirdly, that *Iohn Vdall* was iustly condemned, and that the plaifformers are iustly charged not onely with breach of diuers lawes, very penall, but also with sedition and faction; and therefore are most mercifully dealt withall, that they are nether in greater number, nor in a
ther

ther qualitie pionsbed; the vaine gloses, that are set upon their factes, and opinions; shall be there also wiped away. in the last part of this treatise, such accusations, as the libellor hath brought to disgrace the Ecclesiasticall government, and which he hath set downe in malicious Articles, and interrogatories shall be answered; neither doe I meane therein to omit any speach, that shall seeme any way pertinent to purpose: being loth, he should say, he was not answered.

Wherein if you see no colour, or shew of reason for this newfound platformer; or prooffe of his accusation: consider then I pray you first, what indignitie hath been offered by this libellor to the Church of God, to her Maiestie and her lawes, to the Ecclesiasticall state, and such as live in obedience of lawes: and secondly what they deserue, that haue offered this indignitie vnto so many and honorable persons, and brought this scandale into the Church of God. the common^r aduersarie maketh profite of those shameles flanders, which those vnciuil, and vnlettered authors of the Admonition haue vittered against the Church: the aduersarie triumpheth to see this contention: disordered companions take occasion of contumacie, and rebellion: when will the governors vse like diligence, to repress them?

If then you loue religion, her Maiestie, and the state: you will not suffer such notorious reuelors as lawes and governors: if you be desirous of truth; you will no more be abused with vaine gloses. H. Nicholas hath painted his booke with quotations, as full as T.C. he useth the same stile, and seemeth to haue the same erronious spirit.

He saith as well as T.C. that for Sions sake, he will not holde his^r peace. and yet neither of both speaketh to purpose, nor to the edifying, but rather the pulling downe of Gods Church. and therefore seeing both the authors and their dealings haue bene tried: let them be both dealt with all, and esteemed according to their deserts.

It may be these felowes looked for answere of her Maiestie: and to say sooth, the Magistrate were most fitte to shap answeres for such disordered petitions. but in the meane while it may please them to accept of my answere, they are no such high persons, but meaner men then her Maiestie may answere them, & reason is in seeing they put their petition in print, they should also receiue a printed answere: and seeing they chalenge me, they should heare my answere. And let them not thinke, but that howseuer their malice is repressed by lawe; their fond assertions and cauils shalbe refuted by reason.

That truth may appeare; I haue done my endemour. God is my wit-

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ness, I seeke for nothing but truth and peace. there resteth then nothing,
but that truth be embraced, and lawe maintained. for little availeth it to
knowe either, if by faction, & mutinie lawes may be broken, & truth op-
pressed, so make truth and Iustice knowne, it belongeth to vs: to defend
the same belongeth to Magistrates; to wish the same to all, reade
therefore and iudge, and seeke the maintenance of Iu-
stice, and truth, without which neither
Church, nor state can be well
gouerned.



AN ANSWERE TO A CERTAINE calumnious Petition, and also to certaine Articles, and Questions of the Consistorian faction.

C A P. I.

Wherein is declared, that the authoritie and state of Bishops, as it is vsed in England is lawfull: and the Petitioners canils brought to the contrary, answered.



Almightie God when he gaue Magistrates and Lawes vnto his Church, appoynted first and next vnder the soueraigne Magistrate, one high Priest to haue the ¹ superintendence of the affaires of the church, and vnder him ² diuers heads of their diuisions, that things might be done in order.

And lest wee might suppose, that this was but a ceremoniall constitution; vnder the Law of nature the chieftie of the Priesthoode ouer all his, was first in *Noe*, then in *Sem*, then in *Abraham*, then in *Isac* and *Iacob*, afterward in the ¹² Patriarkes, which for many yeres gouerned their whole families both in matters diuine, and humane. If equalitie of ministers had bene so profitable, no doubt, God would haue vsed that order in his Church.

The Lawe ceremoniall ceasing, our Sauour ruled his Church as soueraigne Bishop of our soules: he adioyned no fellowe aldermen to himselfe.

Departing this worlde he gaue commission to his disciples, within those places where they remayned, to gouerne the church. So we reade that they did excommunicate alone, that they did ordeine ministers alone, yea, and did by superiour authoritie order both the affayres and goods of the church. *Paul* did excommunicate *Alexander* and *Sty-*

¹ Deut. 17.
leuit. 13. exod.
28. nom. 3.
& 4.
² 1. Chron. 24.
& 25.

1. Timoth. 7.

Beza aduers.
Erast.

menam: Peter as Beza confesseth by the swoorde of excommunication strooke *Ananias* and *Saphyra* alone, *Paul* ordeined *Timothy* and *Titus*: and *Timothy* and *Titus* ordeined other ministers. The Apostle *Paul* prescribeth orders and lawes to *Timothy* and *Titus*, and their churches; the populer gouernement which our platformers commend, was not so much as in time of persecution vsed.

5 This was the practise of the Apostles successors likewise. *Saint Iohn* writeth to the bishop of *Ephesus*, to the bishop of *Smyrna*, and likewise to the seuerall Bishoppes of other Churches. to them hee giueth directions, them he reprehendeth for bearing with the wicked: which if they had had no authoritie about other Ministers, had bene very unfitting.

6 All Ecclesiasticall stories writing of that argument giue witnesse that seuerall Bishops succeeded the Apostles at *Rome*, *Constantinople*, *Alexandria*, *Ierusalem*, *Antioche*, & other famous Churches. *Saint Ierome* and diuers other ancient writers testifie, that *Marke* ruled *Alexandria* as Bishop, which happened in *Saint Iohns* time.

7 All counsels giue preheminence to Bishops ouer other Ministers: and to the counsels, the fathers subscribe. by infinite testimonies whereof it may appeare, that excommunication, ordination, and the gouernement of the Church next vnder the prince, did belong to Bishops. the wordes I haue set downe heretofore in my English booke written against this counterfeite newe discipline. *Saint Ierome* hath a most pregnant place for excommunication, where hee wondereth that no one Bishop could bee found to excommunicate *Vigilantius*. and if all the gouernement of the Church was committed to Bishops; no doubt but that they disposed of these matters also.

Ieronym. ad-
uers. vigilan.

8 When in our times religion began to be reformed: the
chiefe

chiefe learned men that then liued, and tooke paines there-
in, protested in their publike writings, to the entent that
all posteritie should knowe it, that if Bishops would em-
brace religion, they would most willingly submit them-
selues to their episcopall iurisdiction, accompting it most
godly, and expedient for the Church. *Melancthon* vseth
many speeches to that purpose, fearing that if the authori-
tie of bishops were reiected, a greater tyranny would suc-
cede. and *Caluine* likewise to *Sadolete* protesteth, that he mis-
liketh not Episcopal authoritie.

Neither can any thing bee deuised more absurd, then
that equalitie of ministers, which is brought in to ouer-
throw Bishoppes. for no gouernement can be without su-
perioritie: neither can any thing bee well ordered, where
there is no speciall care in some one. it is against all lawe,
all practise, yea against all reason.

9

Therefore euen the malcontent disciplinarians, that
take away the name, giue notwithstanding the autho-
ritie of Bishops, to their rulers of Synodes: in whome
if the same were (as they say) vnlawfull, no reason it should
bee continued any little time. And further vpon the
wordes, *opus est in illis* denying superioritie to Bishops
ouer ministers, they doe notwithstanding giue an
vnbrideled, and absolute authoritie to the Consisto-
ries.

10

These arguments, and others which I haue set downe,
stand vnanswered. that which is sayd against bishops, may
be most easily, and hath often bene answered: neither doth
this vnlettered fellow bring either new arguments, or con-
firme the olde. nay, he leaueth all arguments which his fel-
lowes haue brought out of scriptures: therein shewing
good iudgement. for in deede it is absurd to thinke, that bi-
shops may be ouerthrowen by scriptures, vpon which their
authoritie is built. I wonder with what face after so

many proofes brought in this cause, hee durst goe about without arguments to ouerthrowe that, which hath such grounde vpon scriptures, lawes, reasons, onely for a shewe he hath brought a number of names of * counsels, fathers, Churches, and late writers: but when the matter shall come to triall, it shall be found, that they doe all forsake him in this cause: and that both they, and infinite more then these speake against him. I answer therefore first generally, that it is no good argument that in this cause is drawn from *Daneau, Tauergues, Perot, Chauueton, Carpentier*, or other of their faction. Secondly that these counsels, and fathers, and Churches, and learned men which he quoteth, haue not oppugned Bishops, or their gouernement.

Can. 6. & c. 80. The canons of the Apostles are placed in forefront of this aray against Bishops, not that they speake against the, but for that it pleaseth the petitioner to make some shewe in the entrance of his matter, of apostolicall authoritie. in the sixt Canon there is no mention made of Episcopall iurisdiction: so that it may appeare that he looked not on the place. It may be, he meant the seuenth Canon (for there both Bishops, Priestes, and Deacons are forbidden to meddle with worldly affaires) and in the 80 Canon, Bishops & Priestes are charged, not to intrude themselves into publike charges. But neither place maketh one word against the superioritie of Bishops ouer Ministers, nor their authoritie in ordination, excommunication, and other Ecclesiastical matters, for which they are alledged. nay, contrariwise, they giue ordination ¹ of Ministers to Bishops, and plainly distinguish ² Bishops, and priestes, giuing to Bishops both superioritie ouer priests, and also the ³ disposing of the affaires of the Church. that Bishops in the primitiue Church were excluded from ciuil charges, the reason was, for that the Emperors were yet heathen: and therefore without danger of impietie, none could deale in office vnder them.

¹ Can. 1. & 36

² c. 1. & 1. &

40.

³ c. 40. & 41.

and in thoſe times, the offices about collection of the Emperors rentes were ⁴ burdensome; and diſhonorable. and therefore no maruaile if Biſhops might not beare them: laſt of all, they were ſubiect to accomptes. yet howſocuer it was, the Canons forbid not Biſhops to ſuſteine a charge impoſed vpon them; but ambitiouſly to ſeek ſuch charges. generally; ſeculer matters were not forbidden Biſhops, as may appeare in the ſame Canons. ſo that neither doe theſe places make againſt our biſhops vnder Chriſtian princes in common wealthes, wherein they are ſubiectes, as wel as others; and by their authoritie helpe their calling, yea and the whole miniſterie vnder them; and no way hurt it: neither doe they fit the petitionners purpoſe. For Biſhops by their epiſcopall office doe claime no ciuil authoritie. nor doeth it ſolowe, becauſe Biſhops may not beare certeine ciuil offices, that therefore they are not to exerciſe epiſcopall authoritie: as the petitionner doeth inſinuate.

* ff. de decur.
tionib.

c. 41.

Next to the Apoſtles Canons, as they are called, hee citeth the 6 counſell of *Carthage*. 19. c. but there do not appeare any Canons to haue beene made in that counſell; ſo wide is the man from his marke. commonly his fellowes vſe to alledge the 4 counſell, and 18, and 19 Canon: yet doe not theſe canons fit their turne. for nothing is there ſpoken againſt the office of Biſhops either in ordination, or contentious iuriſdiction: onely Biſhoppes are forbidden to take on them the execution of teſtaments (which notwithstanding hath ¹ exceptions) and to bee common quarrellers in lawe: which no man thinketh conuenient. neyther canon maketh any thing to the purpoſe. were not this man without diſcretion he would neuer alledge this counſell againſt Biſhops, that ſo ² diuerſly confirmeth the authoritie of them, and condemneth ſuch ³ libellers, and raylors as the authors of this petition.

¹ Concil.
Chalced. c. 3.

² c. 3. 27 31.
11. 68.

³ c. 57 & 67.

Neither

Neither doth the counsell of *Chalcedon* decree any thing against the state of Bishoppes. the Canons alledged onely forbid them, as the puritane Ministers, whereof some are graiers, some fermers, some mastsers, doe vse to doe, to hire grounds, which payd rent and tribute to the Emperour; or to deale in ciuil affaires, or warfare; least therby they should neglect their ministerie. a pregnant place against diuers of these counterfeited hypocrites; that shaking of their Ministerie, and disdeining the base accompt of it, trade in vsurie, marchandise, sermes, and other such like occupations, giuing ouer themselues to serue mammon. This counsel maketh nothing for the cause of Puritans; for it establisheth the authoritie of Bishops and Archbishops, and condemneth such malicious and factious persons, as they are, that by ¹ calumnious accusations conspire the hurt, or disgrace of their bishops.

¹ c. 17.

The Petitioner doth also alledge the 6 counsell of *Constantinople*: yet doe we not in the bookes of counsels finde any of that number; nor in any counsell holden at *Constantinople* any thing against the authoritie, or dignitie of bishops: it may be he mistooke the 6 counsell of *Constantinople* for the 6 synode: yet doeth not that speake against bishops, but rather enacteth diuers ² cannons against vsurie, a practise which *Th. Cartw.* and *W. Ch.* and others might doe well not to vse: and for the dignitie of bishops many ³ places.

² Synod. 6. ca. 9. & 10.

³ Synod. 6. c. 31. & 36. & 37.

To let vs further vnderstand his ignorance, hee quoteth the 3 counsell of *Turon*, whereas there were neuer but two there, & in neither of them any word sounding against the authoritie of bishops. perhaps he meant by names of counsels to face downe simple men: or thinketh it no sinne for the glory of the consistorie to lye. I beseech him to shewe vs where this 3 counsell of *Turon* may be found, and then he shall haue further answer.

Beside the new third counsell of *Turon*, he hath deuised a new counsell also of *Macra*: which course if he hold on, I perceiue we shall haue a new booke of counsels, to frame a new consistory withall. to put the blame from himselfe, he putteth it on *Illyricus*: as true a quoter of textes almost, as euer was *Th. Cartwr.* his scholler, but suppose that which ¹ *Illyricus* hath of this counsell were true; yet can not the wordes of the counsell be interpreted against bishops. for suppose that *a bishop may not be a King, or Prince, and that the callings be distinct*: yet may hee haue episcopall iurisdiction, against which that counsell is alledged.

¹ Catal. rest.
veritat. pag.
121.

To helpe his aray of counsels, hee bringeth in a supply of Fathers. but very vnlike it is, that they should speake against counsels, being diuers of them chiefe doers in diuers counsels; and therefore let him take heede least while hee mustereth the names of Fathers against bishops, the men themselues doe not all fight against him. That *Cyprian* is contrary to his allegation, it is notorious: for he establisheth the dignitie of bishops, and vtterly ruinateth the cause of the new come gentlemen called Church-aldermen. Hee subiecteth the whole ² brotherhoode to the bishop; and sayth, *that the same obedience is according to the commandements of God.* The same authoritie is confirmed by the letters of the clergie of *Rome* to *Cyprian*. *Post Fabiani* ³ *excessum* (say they) *non est constitutus à nobis episcopus,* ⁴ *qui omnia ista moderetur.* He giueth to bishops the ⁵ succession of the Apostles; and from no ⁶ other roote doeth hee suppose heresies and schismes to spring, then from contemp of the authoritie of Bishoppes. So shamelesse is this Libeller to alledge *Cyprian* against bishops, that in the places aboue named, yea, and in the ⁶ places by him quoted doth confirm their authoritie. For albeit *Cyprian* doeth say, *that from his first entrance into his charge hee had determined to doe nothing, but by the consent of the people, and*

¹ Lib. 1. ep. 3.

² Lib. 2. ep. 7.

³ Lib. 3. ep. 9.

⁴ Lib. 4. ep. 9.

& Lib. 1. ep. 3.

⁵ Lib. 3. ep. 10.

counsell of his Clergie: yet doeth it not make against his superiority: nay it confirmeth it rather. For with vs Bishops may doe nothing without lawe, which is a most certaine consent: nay, good Princes rule by counsell and Lawes, and yet they will not denie, but that Princes in all places, and Bishops with vs haue a superiour authoritie ouer those that are committed to them. And *Cyprian* in that selfe same Epistle writing to the priestes and Deacons vseth these woordes, *1st exhorte and commaund: yea further, hee prescribed, what was to bee done both concerning the poore, and confessors: and 2^d made a deputation to others, that were to gouerne in his absence*: as much, or rather more then bishops may with vs take vpon them to doe. Likewise in the *14* Epistle of his thirde booke alledged also against bishops, there are found manifest argumentes for their authoritie. For *hee reprehendeth the presumption of certaine Ministers too rash in reconciling those that had fallen, and declareth vnto them, that the Bishop is 3rd set ouer them, and that their place is vnder the bishop, of which 4th they were vnmindfull: & that the bishops duetie was to 5th instruct them, and their dutie to obey him*. It is euident, that this author was not much acquainted with *Cyprian*, that alledgeth him thus contrary to his meaning, & which is most childish and absurd, quoteth the *27* epistle of *Cyprians* *3* booke, where there are onely *15* epistles there.

¹ Hortor, & mando.

² Vice mea fungamini circagerenda, quæ religiosa administratio deposcit.

³ Ep. 14. episcopus ip[s]is præpositus.

⁴ Locis sui immemores.

⁵ Vt instructi à præpositis faciant omnia.

⁶ Lib. 1. ep. 9.

In ⁶ another place *Cyprian* reprehendeth a certaine minister being appointed gardein to orphans, & executor of a testament. but how the same may be drawn to make against the estate of bishops, I vnderstand not: for bishops among vs desire no such matter as that which *Cyprian* cōdemneth: neither came it euer in *Cyprians* meaning to condemne the authoritie of Bishops, as it is vsed in this Realme. If hee speake against any, it is especially against *T. C.* for albeit he be a Minister, as he sayth himselfe, yet refused he not the execution

Execution of his brother *Stubbs* his will, no nor refuseth the government of his Hospitall: and therefore this fellowe seemeth vnwise thus deeply to lanch his deare brother *T.C.* whose purchases and purloynings hee hath taken on him to defend; where in the meane while the state of Bishops, for any thing *Cyprian* sayth, standeth inuolable: nay, in the same place their iurisdiction is confirmed: for *Cyprian* being a Bishop, taketh on him to reforme Ministers, and giueth bishops¹ authoritie to make ecclesiasticall lawes: which pearceeth the Church-aldermen that long for superioritie, to the very heart. Finally, he taketh on him to punish disorders: then which authoritie, what can be greater?

¹ Episcopi antecessores nostri censuerunt &c. & sacerdotum decretum.

² Dist. 10. c. quoniam idem.

² *Gratian* also extolleth Bishops above Princes: so farre is hee from speaking against Bishoppes, or their authoritie, so that to alledge *Gratian* for prooffe, is as much as to vse corrosiues for pleasant medicines. Neither doth it take away, or diminish the authoritie, and state of Bishoppes, that by the Canons they may not encroche vpon the Princes authoritie in Ciuill causes: for wee say, that the vocation of Magistracie, and ministerie is distinct, and that Bishoppes in England doe not in respect they are ministers, meddle with Ciuill causes, but as they are subiects, and are commanded. Wherein they doe not shewe themselves busie in encroachments in taking on them charges imposed, but shoulde shewe themselves disloyall persons, at least no good subiects, if they shoulde refuse them. the consistoriall faction contrariwise doeth encroche both vpon Ecclesiasticall and Ciuill gouernours, hauing authoritie from neither; and iacude themselves where no man sendeth for them, or admitteth them.

De ieiunio.

¹ De ieiunio.

After *Cyprian*, *Tertullians* 3. booke of fasting is by force drawn in by the imperious Consistorials for euidence against Bishops: which I cannot but wonder at, seeing they condemne both fasting in *Leue*, & other fasts which he alloweth, and the degree & state of bishops, which he commendeth

¹ Lib. de baptis-
tism.

in his booke¹ of baptisme, where hee giueth the chiefetie, and prerogative of Priesthoode to Bishoppes, expelling out the impudent Aldermen that nowe are crept in, I knowe not by what strange conceit, into Churchgouernment. In the booke of fasting there is not so much as the office of bishoppes mentioned; much lesse any speach against them. there is order taken for their allowance, which the sacrilegious consistorials, that haue ruinated the Church in all places where they come doe denie them. In the same place *Tertullian* doth construe the place *1. Timoth. 5. 17.* against these men: for hee onely vnderstandeth by Elders that rule well, Bishops and Priestes, and not these neive Aldermen, which albeit they bee mute in pulpits, yet are they mouthy inough in Consistories.

The opinion of *Augustine* concerning the estate of bishops is sufficiently knowen: for hee thrusteth them among heretickes, that deny their superioritie. In which croude let this Libeller, and his fellowe *T. C.* goe packe out of the Church together, with *Aerius* their ringleader, and an olde master of an hospitall, and a famous hereticke. himselfe was also a bishop, and gouerned his clergie and church with as great power, as now doe our byshops: neither doeth he in eyther of the places² quoted say any thing against them. Hee condemneth not the state of bishops, but *their worldlinesse*: and not the dignitie of bishops, but *(such as sought honour, and would not endure labour: which negligence wee doe not defend in any. neither was hee so scrupulous in distinguishing ciuill, and ecclesiastiall causes, as these seeme to be. for in his booke de opere Monachorum alledged by this Petitioner, he doth declare that hee deals himselfe in ciuill causes, notwithstanding he was a bishop, and that he hoped God would reward him for it.*

² De opere
monach. c. 16.
& de ciuit. dei
lib. 19. c. 19.

³ In Tit. & ad
Ocean.

Neither is there in ³ *Hieroms* whole workes any worde founding to the disgrace of bishoppes. *Hierome* maketh the
termes

termes of Bishops and Priestes common in the Apostles time; but that bishops and priestes should nowe be equall in power and dignitie, hee neuer concluded: nay hee saith, that the superioritie of bishops is an *Apostolicall*¹ tradition, and borrowed of the analogie betwixt the Lawe and the Gospell; and confesseth that it began in the Apostles time: accordingly hee useth *Damasus* Bishop of *Rome*, and all bishops with great respect.

The authoritie and credite of *Ambrose* both with the Emperour, and people, and his iurisdiction in ecclesiasticall causes was farre greater, then that which our Bishops haue. Is it then thinke you likely, that a bishop woulde speake against Bishops? nay, he is sayde himselfe, to haue exercised the Church censures against the Emperour, and giueth ordination to Bishops, and calleth them the Apostles successors.

The place of *Ambrose* commonly alledged² against Bishops ciuill iurisdiction maketh nothing against the state of Bishops: for in England no Bishop hath ciuill iurisdiction, as hee is a Bishop, but as hee hath it by commission. which to refuse were not onely a weakening, but a deniall of loyalty: neither doth *Ambrose* forbid any to take ciuill iurisdiction, but to followe worldly cares, and to giue ouer their ministerie, and as diuers of this faction haue done, to throwe off the robes of the ministerie, and to runne in their lether Ierkins after worldly gaine and pleasure. That *Ambrose* esteemed highly the office of bishops, is apparant: for hee³ saith, that those that are nowe called bishops, succede in the charge, and place of government of the Apostles.

Chrysostome taketh to himselfe the power of excommunication: yeeldeth to bishops the power of ordeining⁴ ministers, ouer whom he giueth them authoritie: himselfe was a bishop of great power and authoritie: hee condemneth certaine heretikes, which would not yeelde the due titles to bishops; but called them onely⁵ reuerend and worshipfull, euen like to the platformers, what shame then haue these fellows, that

¹ Ep. 35.

² Ep. 33.

³ In eph. 4.

⁴ In 1. Tim. 4. & epist. Paul. ad Philip. & homil. ad pop. Antioch.

⁵ In Psal. 13. reuerentia tua, dignitas tua, and such like termes condemned by *Chrysostome*.

Hom. 1. in e-
pist. ad Phil.

blush not to make either so holy a bishop contrary to him-
selfe, or manifestly to belye him, and flaunder him: where-
fore for the words of *Chrysostom* against bishops be brought
forth: if hee bring them not, euery man will take him for a
plaine false coynor of authorities, which now is in part ap-
parant, he saith that the names of bishops and priests were
all one: but that all bishops and priests should haue equall
authoritie, he saith not, nor euer thought.

That *Gregory* the great is alledged against bishops, is a
matter most miraculous, for in his time the bishoppes of
Rome were come to extraordinary greannes, & incroched
not only vpon their neighbors, but also vpon most christian
Churches: so far was he from condensing the state of bishops,
in the preface to his dialogues if they be his, (as is most vn-
like) he reprehendeth those that waxed old in worldly desires:
which neither in bishops, nor other is to be allowed: against
episcopal authoritie he saith nothing: the power of bishops
ouer priests euery wherein his epistles he commendeth.

The quotation out of *Hilary* maketh nothing to the pur-
pose. hee reprehendeth *Constantius* the Emperor for aduan-
cing bishops aboue the degree of bishops: but that maketh
for bishops, and not against them, for hee disalloweth not
the state, but the Emperors too much forwardnesse in gi-
uing *Arrian* bishops too much honour and credite.

*Ep. 87.

The Libeller hath a strange sight in *Synesius*, if he thinke
that he spake any thing against bishops. percase he had on
his² horne spectacles when hee read them; without such
sight nothing is to be found in *Synesius* against our cause. If
he would haue made any conclusion out of him, he would
haue acknowledged so much him selfe.

* Those
dreames that
passe through
horny doores,
as *Homer* feig-
neth, are vn-
true: for horne
is not trans-
parent.

He alledgeth with like iudgment *Nazianzen* his oration
aduersus *Maximam*: yet in all his works is there not any such
oration found, there is an oration of such matters, as *Gre-
gory* did against *Maximus*, but concerning the superioritie

of bishops, there is nothing therein, least of all any thing against bishops: neither is it like, he would speake against bishops, himself being a bishop, & allowing the state of bishops. *he governed with authoritie: his* ¹ *words were observed, as lawes in the church: he saith,* ² *there is order while bishops command, and others are ruled.* of such as these felowes are, that wil neither obserue order nor rule, he complaineth, and commendeth in which they despise. only he speaketh against ambitious seeking the greatest bishopricks, and highest places, wishing that the principality should be removed, rather then such incōueniences admitted. *Origene* ³ giueth most ample titles, & authority to bishops, even in the same place where he is supposed to speake against the: onely *he would not haue them insult, nor tyrannise over the people,* which the bishops of England neither doe, nor can doe according to lawes: but the Aldemen of the consistorie whose word is prooffe, and will law, and against whose wrongs there is no sufficient remedie by appeale, they do properly tyrannise, yea & oligarchize: and therefore against such cruell tyrants *Origen* declaymeth, and we haue good cause to speake.

Bernarde ⁴ speaketh against the *Pope* for clayming *soverain- tie in both swordes*, which no bishop in England claymeth, neither doth any bishop by his episcopall authoritie exercise the materiall sworde, as the *Pope* doeth: and therefore as *Bernards* reasons are good against the *Pope*: so are they not to be vsed against our bishops. neither was it euer *Bernards* meaning, to condemne the prerogatiue of bishops, allowing the same in so many of his epistles and writings, and commending so highly the bishop of *Rome* notwithstanding his infinite abuses. he bitterly inueigheth against those *heretickes* which for their apish imitation of the Apostles, called themselues *Apostolickes*, because they condemned prelacy; and therefore calleth them *Stultissimos, & obstinatissimos.*

¹ Cum auctoritate hic praesidemus, & haec multis ex vobis tamquam lege sancimus. Nazianz. in orat. de modest. in disputat. seruanda.

² Ibidem. ³ In Esaiam hom. 6.

⁴ De confid. ad Eugen. lib. 2.

⁵ Serm. 66. in Cantic. non est mirum si ordinibus ecclesiae derrahunt, si mandatis non obediunt.

Thus

Thus the man, or at least his partakers haue sought e-
 uery corner of the Fathers, and yet finde nothing against
 the prerogatiue of bishops. therefore is hee glad to flye to
 the practise of late churches, & late writers: but the conclu-
 sion which he draweth from them is most weake, for admit
 that in *Geneua* & in *France*, & *Flaunders*, and other churches
 they haue not bishops of such quality in all respects as wee
 haue, no more haue other churches such Elders as they
 of *Geneua* haue. it is sufficient, that we haue such bishops, as
 in time past they had at *Ierusalem*, *Constantinople*, *Alexandria*,
Antioch, *Carthage*, *Seuil*, & throughout the world, before that
 the cornercreeping Aldermē crept out of the slime of fond
 mens inuention: & that the bishops in reformed churches
 of *Almayne*, haue episcopal authoritie ouer other ministers
 in ordination of ministers, & correction of manners. so that
 they are to be blamed, that digresse from all antiquitie, yea
 and later churches: not we that agree with al former times,
 and the *Almayns*. for both they, & the *Danes*, albeit some of
 them mislike the names, and most of them haue taken away
 the liuings of bishops: yet reteine still their authoritie and
 office in their superintendents, & generall superintendēts;
 and had done better, if also they had reteined the liuings &
 rewards of learning, & stipends of ministers. wherefore let
 the libeller cease to obiekt vnto vs the *Heluetian*, and *Dutch*,
 and *Danish* churches: for they differ farther from the *Geneui-
 ans*, then from vs: and the petitioner himselfe ¹ confesseth,
 that *they haue authoritie, though not so much.*

¹ Pag. 10.

Of late writers I know none of name that hath condem-
 ned our bishops. euen the chiefe authors of this innouatiō,
Caluin, and *Beza*, as may appeare by their letters which are
 to be shewen, speake euery where honourably of them.
Zanchus greatly extolleth that order. onely *Beza* (as some
 say) hath written a foolish ² pelting discourse, wherein he
 would proue our bishops to proceed of men, as if himselfe

¹ Entitled,
*The indignities
 of a learned
 man beyond the
 sea.*

were

were a bishoppe of God. and *Daneau* in that poynt consenteth with him taking himselfe also to be a bishoppe of God: and yet the Geneuians, when through weakenesse of body, sicknesse, and age, hee coulde not execute the ministerie, shut this bishop of God from his liuing, and forced him through want to depart out of their Citie. *Bullinger*, and *Gualter*, and diuerse learned men of *Suitzerland*, and *Germanie* haue by letters and writings allowed our bishops. yea, ¹ *Melancthon*, *Comerarius*, & *Sturmius* wished to God they had such in their Countreys. neyther did any of these that are named by the libeller, euer speake against other, then papisticall bishops. let the worlde then iudge, what honestie or shame was in this companion, that alledgeth *Luther*, *Melancthon*, *Bucer*, *Caluin*, *Beza*, *Bullinger*, *Zanchus*, *Erastus*, *Gualter*, and *Mounster*, against our bishops, whereof some neuer spake of them, others neuer spake of them but with reuerence, and none against them. and ² *Beza* complaineth of some, that drew his wordes uttered against popish bishops, against our bishops. If therefore the libeller do not bring forth some other places then these hee hath quoted, there is no cause, but that euery man shoulde take him for a forger of false writings, and an abuser of his reader. But suppose *Beza*, or *Daneau*, or some other of that sort shoulde write their pleasures in priuate letters, or in their imperious, & paltie pamphlets, who would not be ashamed to oppose these two, or all their headie followers to *Ignatius*, *Dionysius*, *Chrysostome*, *Augustine*, *Ambrose*, *Hierome*, and all antiquitie: yea to most writers of late times?

¹ Histori. consess. August.

² In diuers of his letters to be shewed.

And if these men that patronise the consistorie which cannot stand with bishops (for in deede there is no agreement in gouernement betwixt the rusticall *fauni*, and the muses: betweene learned men, and men of occupation, betweene clownes and schollers) if these I say doe not speake against bishops, wee may not thinke that bishop *Iewel*, or bishop *Elmar*: or bishop *Bollingham*, or others that haue written in defence of the state, haue vttered any thing that

¹ In his Apologie.

foundeth to their disgrace. Bishop *Iewell* expressly defendeth the degree of bishops, aboue priestes: and good reason. for it is the publike doctrine of this Church, and those that goe against it, make this Church to reuoke a part of their publike confession, and doe more harme by their secret trechery, then euer did *Harding* by his open enmitie. neyther can there be a greater scandale, or dishonour offred to religion, or the state, then that we should now alter the publike confession of faith made by our Church. *Iewell* saith that the office of prince, and bishop is distinct, and no man denieth it. for no man by the office of bishop challengeth, as doth the pope, soueraigntie of both swords, but if any conclude, because bishops & ciuill officers are distinct, that a bishop shal doe no ciuill office: he wil conclude, that hee may not looke to his house, nor do the office of a subiect nor fight for his country, which is a nice point of puritanisme, and little better then trechery: and by the same reason should ministers be excluded both from gouernement of colledges, and hospitals, and al offices in the vniuersities, whereto our puritanes ambitiously aspire, & are as great canuassers as any, notwithstanding their ministerie, or puritanisme.

Neither can master *Nowels* words be stretched against bishops. for what if *Christ* would not receiue riches, or dominion of the deuill: may not a minister receiue a benefit of a Prince? or because *Christ* forbade them to rule as Princes, may they do no offices of good subiectes, but liue like traitors, or like puritanes, that liue in open contēpt of lawes? if then the petitioner had any conscience, he would not alledge Mr. *Nowel* against bishops, whose authority he mainteineth against *Dorman*, and whose resolution for this present gouernement is sufficiently known,

Master *Bilson* distinguisheth betwixt apostolicall gouernement, and princely gouernement, but hee taketh not thereby away apostolical superiority ouer ministers, as these manglers of scriptures doe, that to build vp one seate of the consistorie haue hewen

hewen diuerse scriptures in peces, and racked mens wordes against their meaning, neyther in word, nor conceit did he euer oppugne the present gouernment.

Bishop *Elmar* sometime, before hee came abroad into the world, supposed the liuings of bishops to bee too great: hee knew not then the malice of men, nor the state of things: now he confesseth therein his oversight. is it not lawfull for him to amend his error, especially seeing some men thinke it lawfull from knowledge to fall into puritanisme, and from a right course to run into error? yet do we not vse the benefit of their doubling, let them double as much as they wil, so they double not with God.

The like is to be said of bishop *Bollingham*, who if hee erred in speaking against bishops *Rochers*, (for against the state I see not where he speaketh) yet did hee the same away by repentance. but we stand not on mens opinions, nor pamphlets, nor priuate writings. we would once the names of *Caluin*, and *Beza*, and others were laid aside, and the cause were examined by scripture, and antiquitie, which is not partial. this *T. Cartw.* did once professe, but now he hath forgotten himselfe: would he come backe againe to his old hint, he should soone see his owne error. if he strue against himselfe: no maruell it is, if hee strue with others. but if he come abroad, he must come better furnished with scriptures and reasons.

Not content to alledge some, the libeller ere he passe will needes belye others, and among them¹ *Doctor Bridges*. it may bee the consistorie hath giuen him a dispensation to lye. for he saith, that *Doctor Bridges* doth iustifie *Aerius* opinion. whereas contrariwise hee saith, that albeit *Hierome*, and others did hold that a bishop and priest was one: yet was no *Aerian*. whereby it appeareth, that hee confesseth *Aerius* to bee an heretike, and denieth others to be *Aerians*.

¹ in his defence of the princes supremacy.

He shamefully likewise belyeth my lorde of *Canterburie*: whom he falsely quoteth & maketh to confesse elders for such elders, as these men would haue, neuer entred into his conceit:

² Pag 654. lin. 54.

only he confesseth that there were ministers in the beginning of the Church, that liued in community with bishops: which now that the number of Christians is so encreased were not requisite. for then should there be infinite nonresidents. that he neuer imagined, there ought to be elders of the Geneuian making, his reasons brought against them doe declare.

Neyther did the author of the admonition made against the drunken surfet of Martins puritanisme set downe any wordes, *that import that there was an Eldership vnder the lawe, as the libeller affirmeth.* the wordes are contrary. why then should hee imagine that the authors meaning was contrary to his wordes? it was faith hee, first so set downe. admit it were. must all composers errors bee allowed for text? I perceiue these fellowes are angrie when a man would correct a fault. and therefore I feare hee will not amende his fault in lying. but I haue heard faith hee, *that that booke was subscribed by the bishop of Canterburie, Lincolne, and London.* as if any thing were more common then vntrueth in the mouthes of puritanes. and therefore no maruell if hee haue heard a leasing.

Pag. 166.

The author of the remonstrance without any supposall faith plainely, *that there neuer were any Church consistorie.* and therefore what fondnesse is it to suppose him to say, that which hee denieth? but admitte hee shoulde say, *if it were in the lawe and Gospell, that it were to bee continued:* yet doth it not followe, that it was in the lawe or after. for of supposalls no direct assertion can bee made, vnlesse that which is supposed bee graunted. neyther can any man enforce any such conclusion, as the libeller imagineth. nay hee shall sooner presse the little wit hee hath out of his braynes, then gayne such a conclusion. for the assumption, *viz. that the Geneuian Aldermanshippe began vnder the lawe, and was practised vnder the Gospell,* is but a franticke conceyte in this discreded mans brayne. neyther my lorde of Canterburie sayth it, nor any of our
side,

fide, that I knowe. Why doeth not the man therefore proue it? the reason is euident; for that vntrueth cannot be proued. let him therefore presse what he can out of the assertions aforesaid: he shal sooner wring vergis out of a flint, then wring his Consistorie out of scriptures.

But (saith he) *one Mathew Sutcliffe controlleth both.* whereunto if he durst haue set to his name, I might haue answered, that one *W. St.* and his promptors are deceiued. Now I must answer, that one certaine worthlesse libeller mistaketh: for neither is it true which he auoweth, *That I protest there was neuer any such gouernement by elders vnder the Gospell* (yea and such arguments haue I set downe, that *Th. Cartwr.* and all the faction haue taken terme to answer) neither doe I controule others, that haue trauailed before me in the same argument. for all of vs agree, *that there was neuer any Geneuian Eldership* in the world before the erection of it at *Geneua*, and that the Eldership, that was in time past, was composed of Bishops, or of Priestes assistant to the Bishops, which were Ministers of the word and sacraments: and such, as in part in our cathedrall Churches yet continue. The third vntrueth is, *That he saith, I suppose if there were Elders vnder the Gospell, they were not now necessarie*, which the author of the remonstrance affirmeth. For I doe not speake of Elders, but generally of gouernement; & conclude most strongly against the platformers, *That they may not haue their discipline.* and why? forsooth because first, it was neuer found in scriptures, nor practise; and secondly, because diuers orders are founde in scripture for externall gouernement, which now are out of vse. so that both the antecedent being false, and consequent nought, it is not possible the conclusion should be good. but what should I talke of antecedent and consequent with this companion, that vnderstandeth neither Logicke, nor termes of reason? The fourth lye is, *that I deface forreine Churches, writing against the Eldership in Latine, & make the rent of our Church deeper.* For I speake in the defence of the state, to salue those

Pag. 113.

wounds, which these fellows haue made, & to pece the rents of our church. I neuer speake of forreine churches but honorably, neither am I curious in other mens states. neither doe I deale with *Beza*, but as with a graue and learned man in this point mistaken, & destitute in this cause both of wisdom & learning: although I haue bene badly requited at his hands againe, which course if *Beza*, & others would haue taken, these contentions that haue troubled our Church, would neuer haue growen to this height. but they would be writing, & talking against vs, yea censuring vs with their consistoriall presumption. and yet did we not deale against their churches. For that I wrote against the presbyterie, I did it in respect, that the same was obtruded to our church, by a certaine vnlearned, & bold Italian, that I wrote in Latine, the cause was the Italians and *Bezacs* dealing for their presbyterie in Latine: and also to let others vnderstand, that our cause is such, as we are able well to defend against *Beza*, and all consistorials whatsoeuer. and therefore, seeing we meane not to obtrude our gouernement to them, and so professe in our bookes, let the keepe their consistorie to themselves, and make much of it, that it fall not to the ground. for it is in very weake case: & *Bezacs* simple discourse doth yeeld it no comfort. If any doe come forth to reply, I do protest, it is he that maketh the stirre, and not I. and therefore for comon ease it were best for al to keepe silence. but if they meane to prate of the glory of the consistory, which our platformers esteeme as an idoll: they must expect an answer and let not *Beza* thinke, that his fond disputes against vs in his late threehalfe penie pamphlet shall passe for oracles.

To returne to the libeller, I answer, that neither is it true, that we handle the matter doubtfully (for we are all resolved in our position against the) nor that they hold their opinions resolutely, for neither concerning the institution, partes, authoritie, nor office of their consistorie doe any two of them agree: neither doth it seeme probable that euer they wil agree. they are at such contention among themselves. for neither
doe

doe they knowe, what they would haue, nor wherefore. Secondly I say, that this argument is most simple, and mishapen. for suppose that two or three should handle the cause of the Church simplie: it were no reason, for the ignorance, and simple dealing of two or three, that the Church should be ouerturned, and that new lawes and lordings shoulde come in place. yet this is his wise conclusion, because all doe not agree in all pointes, that the matter must be called in question, and bishops be displaced, that certaine coate cardes in short ierkins may come in place to rule all, either by their diuine inspiration, or else according as *Th. Cartw.* the oracle of discipline shall determine. which reason if it were admitted, then howsoeuer we retaine the present gouernement, yet I shall wee for euer be discharged of the consistorie: the patrons whereof contrarie one another most absurdly in infinit places, & write most irresolutely, and strangely. Lastly, to bring the ecclesiastical state into question, *He alledgeth first, that our lawes expect a further reformation; & that such as haue written against papistes, & puritans, haue found imperfeciōs in our gouernemēt.* Which if he meane in the frame of our discipline, or in respect, that we haue bishops, or want consistories; he is abused. they neither expect such a reformatiō, nor auow any such thing. by a certaine statute of *K. Henry 8.* power was giuen to 32 persons to gather into one body such lawes ecclesiastical, as were nether repugnant to the lawes of the realme, nor prerogatiue royall. That *they had* (as the petitioner saith) *authoritie to correct good lawes, or to make new lawes, is the first vntrueth.* The second vntrueth is, *That D. Cranmer & other learned men did collecte the lawes into one booke.* for the booke that came forth with the title of *Correctio legum Angliae*, was gathered not by *D. Cranmer* but by *D. Haddon.* and that very simply; & without iudgemēt, insomuch as al men of iudgemēt disliked it, & afterward himselfe also was ashamed of it. nay contrary to the authoritie giuen him by statute, he tooke vpon him not to gather lawes together, but to gather a packe of new fancies together, and to make

make new lawes coontrarie to the Ecclesiasticall lawes of the realme, yea contrarie to equitie and reason; as I shall iustifie, if any will challenge me for it. The lawes of nursing of children, and marriages will verifie all that I say; yea, and his owne testimonie giuen of it. Last of all, the lawe whereby this collection of lawes was authorised, is now repealed, and not necessarie. For albeit all doe not: yet some knowe what is lawe. but suppose ecclesiasticall lawes that are in force should be gathered together, doeth it therefore followe, that ecclesiasticall lawes must be all changed? howsoever it is, let not the aldermen bragge of these lawes, for therein the authoritie of Bishops is confirmed, & churchaldermen not so much as mentioned: they must therefore looke in some other place. for in this booke, their Consistorial conceites are not to be found.

In the booke of Common prayer there is a *Communion prescribed to be vsed, vntil an order of discipline practised in the primitiue Church should be restored.* But what maketh that for the establishment of the consistoriall discipline, which was neither in the primitiue Church, nor in the cogitation of the authors of that booke? the meaning of the booke is onely, that the communion there mentioned, shoulde be vsed vntil such time, as in the time of Lent offenders might be brought to humble themselues, as they did in the primitiue Church, and that more fauour might be giuen to the execution of ecclesiasticall lawes, which is that discipline which they desire, & these felowes withstand; and therefore hereafter I thinke will not call for discipline, for if the same were once executed, then would not euery contentious person degorge his malice against lawe, nor libellers and scismatickes be suffered to declaine against the state, nor euery vnlearned mate be suffered to preach false doctrine, and reuell at all antiquitie.

Neither doeth it followe, *because in the ordination of Ministers it is saide, take thou authoritie to preach the worde of God, that euery Minister is appointed a preacher, and that none are to be appoin-*

appointed Ministers, but such as can preach; which is that they desire. And this libeller affirmeth. for the exception which doth abridge the lawe, is¹ cautelously, and maliciously left out, wherein he sheweth that his cause cannot stand, but by forging and forcing. the wordes are, *Take thou authoritie to preach, where thou shalt be so appointed.* These fellows disdain appointment, & would runne before they be sent: but vnlesse many had more learning, and discretion: it were better, that some of those that take on them to preach, were set to reade: and such as runne so fast, were made to sit still.

¹ This stile is condemned by the lawe, *in cunctis off. ff. de legibus.*

In Flaunders according to the rules of this discipline, they would needes at the first haue every one to preach: but when they sawe the great inconuenience that came of it, they put them to reade *Caluins homilies on Iob.* but suppose that in the point of discipline of Lent, or in the number, and qualities of preachers, we haue not that we desire; doeth it therefore followe, that the Ecclesiasticall state must be ruinated, and all lawes abolished, that the confusion of the Consistorie, & barbarisme of this new discipline may triumph over the church? In France and Scotland they want much of that discipline they desire: nay the Ministers want meanes pore men to mainteine themselves, and their families, yea & the Church wanteth sufficient, and learned ministers, and is glad to vse the ministerie of boyes, and vnlearned youtnes, wanting all thinges saue boldnes: yet they will not say, that for these disorders, or want of their desires, it is reason, that the ministerie, and their aldermen should be changed, and all ouerthrowen.

The² Statutes giue power to her Maiestie. and her ecclesiasticall commissioners, to appoint orders for the ornaments of the Church: doth it therefore follow that surplices, and other ceremonies are to be abolished? By like reason a man may couclude, that all lawes are entended to be taken away, because the prince and parliament haue authoritie so to doe. a reason well be-
seeming such sencelesse felowes, as vnderstand no reason. for
nether is the consequent good a *posse ad esse*; nor if the conclu-

¹ Eliza.

sion were granted, would this man obtaine his desire concerning his consistorial discipline. for albeit alteration be made in the ministers apparel: yet may the same be made, the state standing, and the consistorie falling to dust. so that if he looke for no other alteration, then that which is intended by our lawes, he & his consistorie may goe, and consider vpon some better reasons. In the meane while hee saith, that *some of our chiefe defenders of religion* against the papists confesse, *That diuers abuses in ceremonies, and discipline were tollerated among vs, the church yeelding to the infirmities of the weake, which were to be altered, when people grew to riper knowledge.* Wherein as in other things, he dealeth falsely. for neither is it true, that ¹ Doctor Fulke saith, *That our ceremonies, or discipline is to be altered,* nor is he, though a most learned man, one of our chiefe defenders. But suppose it were granted, that he then thought that some alteration in ceremonies and discipline were to be admitted, doth it therefore followe, that the church must be spoyled, bishops and ecclesiastical persons put frō their charges, and a sort of hungrie cormorants brought into gouernment? againe, suppose this one man in his youth were of some strange conceite cōcerning the euerlasting blessed consistorie: yet doth not one make a number, where then be the rests forsooth in the intention of the libeller, that is now hatching of newe heresies, and fooleries. But saith hee, the bishops confesse in their canons, that *non residencie is a filthy thing,* and diuers confesse, that *lay men should not meddle with excommunication, and that diuers lewde, and vnlearned Ministers haue entered into the Church:* which were it supposed to be true, yet addeth nothing to the cause of the consistorie. for we deny not that men be men, & that there be faults in the execution of lawes. therefore such as offend are to be punished, & not, as this discrafied disputor would cōclude, al lawes to be abolished, & a new gouernmēt to be erected. in the law we denie, that there is cyther impietic, or abuse: in men we doe not deny. nay wee wish that such as giue scandale were remoued, that by their
their

¹ Fulke retent.
pag. 98.

Can. 20.

defaults the commō cause might not be hurt, if the consistorial faction could cleare themselves of impietie, & abuse in their gouernmēt, it would be better for the. but they must thinke, that there are faultes among them, aswel as among others, & that they are no angels, but men, yea, and many very odde men; and men made of very strange humors.

Master D. Cosin confesseth, that the punishment of adulterie is too milde: and others be of his opinion. for we do not say, that every point of lawe is so perfect, or that things can be so stable, that there can be nothing added, or detracted. if they should say so of their consistorie, as some men douteth nor: they should but make a great leasing: as is euident by the particulars of their gouernment. what then will the libeller conclude of this our opinion? doth he thinke that his consistorial discipline must come in place? if he dos he is abused, for the imperfections, impieties, & iniustice thereof is to to notorious.

That in the consecratio of bishops the pastoral staffe & laying on of the bible is cōmanded by law to be vsed, is one of the libellers lewd vntrueths. for no such thing is found in the booke of ordeining of ministers. neither doth any other lawe commande any such matter. but suppose it were cōmanded, & the same were omitted: were it reason as this libeller auoweth, because the archbishop, vnto whose discretion many things are referred by lawe, omitteth some ceremonie, that therefore euery contentious companion should breake all orders? let this be put among the cōclusiōs of discipline, or rather disorder. for such in deed is this discipline, a scholler would rather haue cōcluded: that he ought to be forced to obserue law, shē that others, because he breaketh law in one point, should take occasion to breake law in all. to cōclude his vnfaury tale against the ecclesiastical gouernment, he saith, that a ¹ learned man & friend to the bishops noteth as abuses, their vrging of subscriptiō, their othes ex officio, & their ex-cōmunicatiō for trifles, and easie silencing of ministers: wherein he saith not annie, concerning the gentlemans learning. for in deed he is both graue, & learned: & now vnderstandeth, and hath learned, that neither in subscription, nor examination

¹ Aduertisement to the Church of England &c.

of parties vpon their othes, ecclesiasticall iudges doe any thing against either lawes of God, or men, or reason; nor that any is excommunicate for trifles, or minister silenced, but for good cause, and by his owne default: nor that subscription is a new deuise, being vsed in most ancient counsels, and with great rigour exacted at *Genena*, and in all *France*: which I would also haue the libeller to learne, and also to speake the trueth and to deale honestly. for no man is excommunicate in ecclesiasticall courts, but for ¹ contumacie: neither is any put to silence, but such as shew themselves rebellious. but what if some abuse were, would not reason require that the abuse should rather be taken away, then that there should be made a dangerous innouation in state? these things considered, I referre to euery mans iudgement, what maner of disputor this felow is, that either speaketh no trueth, or els alledgeth such matters, as make not to the purpose. that the fathers, or counsels, yea or late writers of name speake against such Bishops, as we haue, is vntrue: that some malcontents haue decaymed against the state, is not denied: that there are abuses in execution of lawe, & therefore our lawes to be abolished, and the consistorie to be established, doth not follow.

Wherefore vnlesse the author, & his partakers haue better supply of reasons, then he hath brought here; there is no cause *he should desire conference, or disputation*. If he desire to shew his skil in writing, why doth he not take those bookes that haue bene written in this argument, in hand, and confute the frō point to point? why doth not *T. Cartw.* answer in the defence of his consistorie? If he say that imprisonment hath hitherto bene an hinderance vnto him: yet will not that excuse serue the rest, that were neuer in prison. why doe not *W. Tr. Will. Ch. D. Sp.* and others confirme their demonstrations of discipline, wherein all their reasons stand confuted? hauing so much worke to doe, why shoulde he desire more? belike this petition was made to bragge men downe. but if he thinke he can do it, he deceiueth himselfe. for as farre, as her
Maiestie

¹ Quo minor
culpa, eo ma-
ior contuma-
cia. Beza ad-
uers. Erast.

Maiestie, and lawes will permit; they shall find a number ready in all sortes to encounter them. but the libellers meaning is not to dispute, as I thinke. for no man hath worse grace in disputing, nor more simple facultie in writing. by hiding his head he seemeth rather to be ready to flye, then fight. his talke therefore of aduised writings is idle. for both *T. Cartw.* and he hath written many things vnaduisedly. and both flye the hammering of their cause. only his purpose is to slander the state by libels, & to lurke in corners, & to haue all ecclesiasticall lawes, and gouernement left without defence, so that every man might speake against them without eyther feare of punishment, or controlment: which neyther is good nor commendable. for it would be most absurde, if 3, or 4 difformed platformers should be suffered to dispute in schooles, *that her Maiesties authoritie is unlawfull, that our lawes and gouernement is wicked, that the state is to be changed.*

As for the course that *Doctor Rainolaes* vsed against *Hart*, it was lawfull, he being thereto authorised, & percase fitting for him: & might better be suffred being in poynts of religion resolved, then in gouernement doubted of. yet was it long, and without effect. but this course of priuate conference by writing which the libeller desireth in this cause is leude, being against her Maiestie, the lawes, and state: it would bee a way to rebellion: it would make more contention: it would bee infinite tedious, and to no purpose. the godly and Christian Emperors of *Rome* were of a contrary mind, to this libeller. for in diuerse expresse lawes, they vpon great penalties forbid any, to call in question the confession of faith of the Church, ¹ forbidding, *ut nemo de ea publice contendere audeat.* neither doth the ² author of the admonition to the Churches of *Saxony* allowe any such course, as the libeller desireth. nay his desire is, *that matters may bee discussed in some synode of learned men.* what shame then is it to deuise leude meanes to trouble the Church, and falsly to imputethem to those, that neuer vsed them, nor thought them conuenient? the libeller therefore

¹ Cod. de sum. trinit. & sd. cath.
² Admonit. de de lib. concord.

may do well hereafter to leaue to the wisdom of her Maie-
stie and the rest of the gouernors of the Church & common
wealth, the composing of matters which is best wrought by
good lawes, and sharpe punishment, that such as will not be
answered with reason, may like dizards bee corrected with
rods. wherein if he thinke himselfe dealt withall vniustly: let
him come forth when he will, eyther in aduised, or vnaduised
writing, his cause shalbe prooued wicked, and his consortes
facts auowed punishable.

CAP. II.

*That there neuer was any gouernment by Church aldermen, or supposed Eccle-
siasticall Consistorie, eyther vnder the lawe, or in the Apostles times, or af-
ter, nor can without great iniurie to the Church of England, to the Ma-
gistrates, and others be admitted.*

¹ In the booke
de presbyteris.



Although this positiō hath bene so fully ¹ proued,
that neither *T. Carr*, nor his schollers, nor the
whole packe of our aduersaries haue as yet made
answere: yet because the booke where the dis-
course is cōteined, is in latine, which percase thou vnderstan-
dest not, & the argumēts lie dispersed, so that without difficul-
ty they cannot be gathered; I will here make a brieife of the. So
shalt thou see what a cleare trueth this wise disputer thinketh
to batter with vaine shew of mens opinions, and be better re-
solved of the notorious vanitie of the consistoriall discipline.

¹

That the Iewes had no meere ecclesiasticall consistory dis-
tinct frō the benches that handled ciuil causes, these reasons
may ascertein vs. First, there is no place of scripture where the
institution of it may be found. Those Iudges that are mentio-
ned *Exod. 18*, & *Deut. 17*, are of an other sort: for they heard all
ciuil causes, yea causes of blood, & inflicted ciuil punishment
vpon offenders. Those that are founde in the *11* of *Numbers*
were of the princes counsell. And other sorts of Collegiat El-
ders and Iudges are none found. Let them shew them if they
can. the place of *Leuiticus* toucheth onely priestes in particu-
lar, and matters concerning their only office.

²

Further there appeareth no cōmission to haue bene giue to

any bech of Iudges to determine ecclesiastical causes severally, neither are there any lawes prescribed in Gods word to direct them by: so that, if any Iudged in such causes they proceeded both without authority and also direction: which were very absurd to thinke, for if God had appointed any such order of Iudges, hee would no doubt haue given them authoritie and directions.

There appeareth not the leest step of any act of any such ecclesiastical cōsistory through the whole scriptures or stories of the Iewes, there is no memory found of the in the time of *Moses*: nothing vnder the iudges or kings or in the decay of the *Iewish* state, not so much as the *Sanedrīn* that condēned Christ to death is any precedent of the ecclesiastical cōsistorie, whatsoever *Beza* can say to the cōtrary. for it was the only remainder of the *Iewish* pollicy, & succeeded in the place of the counsell *Numbers 11*, and of the Iudges appointed *Deut. 17*, as is apparent by examination of the authority, and acts of it.

All that authority which this ecclesiastical consistory is supposed to haue, was either in the priests or princes. The princes in the time of *Moses*, of the iudges, & kings made lawes, and gaue souereign directiōs. The priests iudged of things cleane & vncleane, & executed, & caused al ecclesiasticall orders to be obserued. The priests & Levites appointed by the prince iudged of right & wrong, & consecrated others to the functions of priesthood, where was thē the ecclesiastical chimerical consistory all this while? or how could it be supposed that others would encroch vpon the priests office being debarrd by Gods law, & not being mentioned in scripture or histories?

Neither are the ecclesiastical consistories commended for wel doing, nor dispraised for euill doing, neither is there any memoriall of their doings, nor recorde of their names, nor note of their succession, nor being in the whole scriptures.

Nay not so much as the *Rabbines*, or the histories of *Philo*, or *Iosep*. make any mention either of their names, life, acts, death, or any thing cōcerning thē; which were wondrous strange, if

any such extravagant commanders had bene: for howsoever it fareth with others: the acts of gouernours cannot lie hidden.

7

To be short nothing can be more absurd, then that such odde companions as these aldermen are, shoulde controll Princes, and iudge of religion, being most of them without the function of priesthoode, or knowledge of diuinitie, or good letters.

The same reasons may also perswade vs, that these were no such church gouernours in the Apostles times, or after. There appeareth first no institution of them: Secondly, no lawes wherby they are to gouerne: Thirdly no act of theirs: Fourthly no commendation or reproofe of their persons, or doings: Fifthly, their authoritie was inuested in the Apostles by our Sauour, to whom also the keyes were giuen, and not to these false aldermen, that come in rather like burners of houses, then gouernours of Churches with counterfeite keyes: Sixtly, in the whole storie of the Acts of the Apostles there is not the least suspicion of them, neyther doe they stand vpon any thing, but false interpretations of 3, or 4 places of scripture: Nor to conclude can any thing be more vnlikely, then that our Sauour Christ Iesus the wisdom of God, hauing giuen the keyes of Iurisdiction, and knowledge to his Apostles, and their successors, would take the same from them, and hang them at the elbowes of men without authoritie, knowledge or discretion: such as the Church Aldermen are for the most part.

In the times succeeding next to the Apostles, all histories, counsels, fathers, giue witness to the gouernement by bishops, in time of persecution: and after the time of persecution by bishops, vnder the soueraigne direction of Christian Princes. Neyther for 1540 yeeres did euer this foolish conceit come in any mens heads, that merchantes, men of occupation, musterd sellers, and tinkers, were men sufficient for the gouernement of Churches. Then which nothing can be deuised more absurd, nor inconuenient. It is the high way to al

all heresies. for when matters be decided by voyces of men that neuer knewe Scriptures; Fathers; nor tongues, how is it possible that they should teach trueth? or continue in trueth, or meeete with errorrs? this is the principall cause of the multitude of heresies in the lowe Countries.

The same also would be a Seminarie for schisme. for when all parishes, and ministers, and Consistories haue equall iurisdiction, as these fellows teach that they ought to haue, who shall remedie contentions that fall out? the synode? a mere conceite. for what neede they to care for the synode, or the censures thereof, that by no lawe are subiect to synodes? All learning would decay: for who should neede to studie, if a Taylor comming warme from the shopboard be a man fit to gouerne the church? or who can haue any courage to studie where this sacrilegious discipline that hath made hauock of all the reuenues of the church, is placed; and the stipends that are allotted to learded men shall bee arbitrary, and may bee taken away at the discretion of a sort of ignorant marmarchants, clownes, and men of occupation?

Fourthly, where there is no lawe prescribed, how can the Iudges bee kept in temper? euen now, notwithstanding all lawes and penalties that may be deuised, partialitie, fauour, hatred and other affectons beare sway. How much would they sway more, if the Consistorie should come in place, which is ruled onely by will, and pluralitie of voyces, and not restrayned but by pretence of God worde, which euery man vseth to construe to his owne profit. Downe would the princes reuenues fall, and the Realme be left without meanes of defence, and made vnable to resist the enemy. If any man thinke that the spoile of the church should come to the princes hands, he abuseth himselfe. The spoyles of other places do reach vs, what would fall out: yea, our owne experience may herein sufficiently instruct vs. For albeit in the ouerthrow of Abbeyes the Prince had some share: yet are not now the Princes of this land able to mainteine that force that in

time past they were, when great nōbers of both horsemen & footmen were maintained at the charge of religious houses, the reuenues whereof now are wholly imployed, & yet scarce able percase to buy some one meane gentlewoman a verdugal: so leudly are they spent, & so great is the pride & waste of men. the reason of it is this, that what they spent thē in mainteining of men, the same is now spent in veluets, silkes & glittering coates. Suppose then that the church goods should come to spoyle: do you thinke they would be better spent? it should seeme no: for all is now spent in surfet & excesse, that in time past was spent in mainteining of men. And I knowe where, in certaine manors taken from bishops, thousands of men were mainteined: the reuenues of all which do not now buy peticoates for my mistres the owners wife, and her maydens, & not a man of al their tenāts scarce able to do her Maiestie seruice at his owne charge, they are so fined & skinned.

All those that liue by learning, should be turned along to picke sallets; whereby Poperie hauing no resistance, would finde easie entrance, and those that are best able, being discouraged for want of meanes, make least resistance.

Vnto all these points the Libeller saith but litle: only vpon one point he stādeth, that the hot pursuers of their pretended reformation haue some inducemēts to thinke, *that there hath bene in the world some such consistory as he imagineth*, but where, or when, he knoweth no certaintie: nay he knoweth not what maner of beast the same is. His proofes they be so weake, that I marueile hee was not ashamed to make muster of them: scriptures he bringeth none. A world to see, how those that in oppugning our state were so copious in allegations of scriptures, to mainteine their Aldermen, and Discipline, doe not so much as endeuour to bring any scripture, or by reason drawn thence to confirme their cause. The Fathers, as him selfe confesseth, speake obscurely. his chiefe helpe is in *Caluin, Iunius, Beza, Daneau*, yea and such obscure companions as *Bertrand de loques, Bastinge, Charpentier, du Pleurre, Colart,*

Iacomos, Pollan, and a rable of others not worth the naming. But if the consent of halfe a score base writers, and of bad alloy be so forcible, as to perswade the good liking of the consistorie; what reason haue wee to stand in defence of our government by bishops, which hath the consent of so many generall counsels, so many Fathers, so many ages, yea so many learned men also of our time as these bee, and as well learned, and godly as the other; diuers of whose pietie hath passed fiery tryals, and bene sealed with their blood, namely Bishop *Cranmer*, bishop *Ridley*, bishop *Lasimer*, bishop *Farrar*, master *Philpot*, and master *Bradford*; and many moe martyrs that liued in good liking of our state, and defended bishops: whereas few of these that are alleadged condemned our Bishops, and none of the ancient Fathers allowe such an Eldership, as these seeke for? Adde hereunto the learned men now liuing in England comparable to the best, and farre exceeding these *Bastinges, Loquians, Golarts, Perots*, and such obscure, and vnlearned, and vnwise authors. Who will not, I say, rather giue credite to such consent, then to a fewe ouerweening late writers, especially seeing all the Fathers ioyne with vs against them?

Ignatius speaketh of an eldership of ministers of the word, men subiect to the Bishop, conuersant in the ministracion of sacraments: of these aldermē, that albeit they meddle neither with worde, nor sacramentes, and are base begotten, and mishapen creatures; yet take on them to depose Princes, & throwe out their Bishops at pleasure, hee neuer heard any ynkeling, nor speaketh one worde of them. To his Eldership *Ignatius* maketh the Bishop superiour: these giue to the Consistorie power to depose the Minister: yea and accordingly we vnderstand that in *Fraunce* they haue thrust out many poore men, which either haue perished for want, or languished for pouer- tie: and all, because they were so sencelesse, as not to vnderstand that Clownes are euil Iudges of the merites of learned men, and accorde not with schollers, nor schooles,

Epist. ad
Trallen. &
Magneſ.

1 Apol.c.39.
& libr. de baptis-
m.

* Tertul.de
baptis.& de
coron.milit.

They alledge also 1 *Tertullian* to the same purpose: but his words fit not their turne: for he talketh of elders *that managed the word, and fed with doctrine, and meaneth a synode of bishops: or assembly of the ministers of the worde* (for those are called presidents) *and such presidents as deals with the administration of sacraments.* Of these new aldermen which starting from their occupations, and stalles, runne rashly into church gouernment, in *Tertullians* time there was no newes heard. That the Elders he talketh of were ministers of the worde, & administred the sacraments of baptisme, is apparant in his booke of baptisme. so that alleadging that booke, the Libeller doeth nothing, but turne the poynt of *Tertullian* against his motley, and party-natured aldermen. For in in him the worde *Presbyteri* signifieth alwayes ministers of the word, subiect to the bishop, & neuer any men of trade or occupation vsurping Church-gouernment, and chalenging equall power with bishops: as in the places aboue mentioned is euident.

The places of *Cyprian* make no more for his purpose, then those before alledged out of *Tertullian*, & *Ignatius*. In the 5 epistle of his second booke he *declareth how he and his Collegues had ordained Aurelius a reader*: but that by Collegues is meant bishops, is apparant, for that bishops did onely ordeine. Secondly, for that priests were not Collegues to bishops; but subiect to them. Thirdly, for that priests of one church had not to do in another, but bishops had. Fourthly because hee neuer heard of, nor knewe any temporary prophane church aldermen, which were not ministers of the worde and sacraments. Lastly, for that he writeth to the elders supposed to be aldermen of the new creation, not to ioine with him, but to declare what he had done. he would haue done otherwise, if priests had bene his Collegues.

In another place he saith, *he purposeth to doe nothing without the counsell of his Cleargie, and consens of his people*: but that maketh nothing for the consistorie. for in all lawes with vs the consent of the people is adioyned; yet haue we no aldermen:
and

the Consistorie doeth things without consent of the people, albeit the same consisteth of aldermen, And *Cyprian*, albeit he would not then do; yet sometimes did, and might doe things by his owne authoritie.

Thirdly, it is one thing, *to haue the counsell of men*; another, *to be ioyned in commisson with them*. for the Prince hath a counsell, but no ioynt nor equall gouernours. Lastly these elders were ministers of the worde, such as residing now in Cathedrall churches, were then liuing in cities about bishops.

Vnto the wordes of *Cyprian* in his 18, and 22 epistle of his third booke, we will then yeelde answeere, when we finde any of that number: for there are but 15 epistles in that booke. But this is an ordinary fault of this fellow, to quote counsels, bookes, orations, and epistles that neuer were in the world.

He alledged also the 5 & 9 epistle of *Cyprians* fourth booke: but in the 5 there is nothing, but the name of Elder without the thing: in the 9 there is neither the name, nor any note of the supposed elders; but contrariwise diuers reasons to shew the gouernment of the church to haue ben alwayes committed to the bishop, and the vnion of the same to bee placed in consent of bishops, not in supposed consistories. That *Cyprian* knew no elders but ministers of the word, these reasons do declare: First, for that not onely Deacons which were vnder elders, but Readers also did deale in the worde, and were accounted among the cleargie, which was not communicated to men of occupation: Secondly, for that such elders as hee speaketh of, dealt in sacraments, and in the word: for he ¹ reprehendeth certaine for administring the sacraments to certaine, that had not declared sufficient signes of repentance: Thirdly, for that they had ² wages: fourthly, for that they were not deposed at pleasure, nor were temporary: which is a qualitie incident to the newfoundland aldermen.

Augustine neuer so much as dreamt of Lay or temporary, or occupation aldermen: nay, himselfe diligently obserueth the distinction of the ministers of the word conuerfant about

Lib. 3. ep. 10.

¹ Vt sportulis
iisdem cum
presbyteris
honorentur.
lib. 4. epist. 5.
² De verb.
Domini in
Mat. ser. 19.

¹ De cor. &
grat. cap. 11.
² Lib. de pœ-
nit. medic. cap.
2. & 3.

the word and sacraments, into *bishops, Priests, Deacons.* ¹ He cal-
leth the censures of the Church, *Episcopale iudicium*: and affir-
meth, *that the keyes were to be used by Prelats*; which can no way
be drawen to be vnderstoode of Lay aldermen. This being
considered, the libeller saith *his Aldermen are in these authors*
mentioned, but obscurely: but he had said farre more truely, if he
had said neither obscurely, nor in any sort. for darkenesse is
not more obscure, then the steps of these surmised fellowes,
and nothing more cleare, then that they are not there.

To illustrate the former Fathers obscuritie, he bringeth o-
thers, which as he supposeth speake clearly. The first is *Ambrose*:
but nothing doth hee speake to the Libellers content. For he speaketh
of a counsell of Elders, that were ministers of
the word, and assistant to the bishop, whom hee also calleth
vicarios Dei, & antistites, which cannot be vnderstood of these
base, and vnlettered aldermen whose hands with gaine, and
other vanities are polluted; & whose ignorance maketh them
vncapable of ecclesiastical function. Those elders which *Ambrose*
speaketh of assisted the bishop with counsell: these are not
counsellors, but controllers, & gouerners, with voyces equall
to the bishop. His elders were in cathedrall churches onely:
these are in euery ³ paltry village. Those were men learned:
these are ignorant marchants, artificers, and clownes for the
most part. Nothing can be more repugnant the *Ambrose*, and
the Disciplinarians. *Ambrose* ⁴ sheweth that excommunicati-
on belonged to bishops: these put the keyes into the hands of
strange elders, yet very yong in Gods church, & good for no-
thing, but to oppresse the ministerie, and learning. such elders
as *Ambrose* speaketh of were deriued from the Iewes: but such
Aldermen as these haue deuised, the Iewes had none. *Ambrose*
his elders were not temporary, nor all of counsell: these
are. *Ambrose* complayneth that the Bishop and his Clerkes
did not liue in common, *as in times past*, yet such was the grie-
dinesse of bishops, that it was necessary to diuide the church
goods: and such was the negligence of priests, that they were
sent

³ So our plat-
formers would
haue it, albeit
the Geneui-
ans practise
be farre di-
uers.

⁴ Lib. 8. ep. 64.

⁵ Inter Can.
Syluestri.

ſent out of cities to dwell in the countrey, which now is obſerved, and that which *Ambroſe* complained of, reſtored: viz. that certaine of the chiefe of the miniſtery ſhould be aſſiſtant to the biſhop. what then would theſe fellowes haue more? would they haue all the miniſters of a diocēſſe to liue in one citie, and to ioine in hearing of all matters? This would be a beginning of ſingular *non reſidence*, & cauſe of great trouble & cōfuſion; & not a meanes to do iuſtice, but to hinder iuſtice.

After *Ambroſe* ſucceedeth *Hierome* a mā moſt vnfit to ſpeak for the new elderſhip. for if that be true which he ſaith, *that biſhops & elders in the primitiue church were all one*; then away goe the aldermen that are no biſhops: which reaſon did ſo ſticke to *Bezæ*s fingers¹ diſputing againſt *Erastus* for the elderſhip, that hee could no way lay it downe handſomely without the ruine of his cauſe. Again, if in *Hieroms* time *all Clerkes did feede with the worde*, much more did prieſts. Neither doeth it make for theſe mens cauſe, that he ſaith, *that as the Iewes: ſo the Chriſtians had a Counſell in euery cathedrall church*, (for that is his meaning) for that was of miniſters, and is obſerved in our cathedrall churches, and vtterly ouerthroweth the preſumption of theſe vnlearned aldermen, that with vnwaſhen feete tread in the ſanctuary, & with filthy hands, & leaden heads handle matters of religiō, faith & churchgouernment, wout colour or title taking the keyes out of the ſucceſſors of ꝑ apoſtles hands.

*Poſidonius*² & *Socrates*, albeit they are ſaid to ſpeake of the conſiſtorie, and that plainly: yet cleerely ouerthrowe the ſame: for neither of them euer vnderſtoode or heard of any temporary lay elders, ſuch as are lately raiſed from the dung-hill to the higheſt tribunall of the church. Nor do they ſpeake of others, then ſuch as liued in cōmunity with the biſhops in their cathedrall churches, & ſuch as we haue in our church, of which alſo the canon⁴ law maketh mētion, declaring their office to conſiſt in preaching & adminiſtring the ſacraments: ſo that I cannot but wonder with what viſage ꝑ libeller could alleadge the colledges of miniſters of the worde aſſiſtant to

¹ De preſbyter aduerſ. Erast. Epist. ad Heliod.

² In vit. Auguſt. Lib. 5. cap. 21.

⁴ Diſt. 95. c. cccc. & 15. q. 7. ſiquid.

bishops in their Cathedrall churches, to proue Eldershyps in euery village assistant to euery minister, and consisting of prophane, and vnlearned men, and neither hauing salary, nor salt of discretion, nor continuance, as the other had.

Of these allegations therefore this conclusion may bee drawn out, that in counsels, Fathers, and antiquitie, there is not any argument or coniecture found of all that Discipline, which these newfangled platformers desire.

Nay, there is not any proofoe for the same in the new writers: onely I except the *Geneuians* and their followers, that haue shamefully applyed scriptures to their Disciplinaryan dreames. The churches of Saxony, *Wittenberg*, *Nuremberg*, *Strausborgh*, *Ausburg*, *Frankeforde*, *Hamborgh*, and other places of Germany, (the county *Palatine* except) likewise the churches of *Zuricke*, *Berne*, *Basill*, & other true christian churches in *Zwitserland*, & *Denmarke*, *Sueueland*, *Pomerany*, *Poland*, and *Hungary*, and all the learned men that gouerned those churches, both in their doctrine, and practise, are against the discipline of the new Consistories.

Moreouer, those that speake for the Consistories, are not all of one opinion. In the state of *Geneua* there is but one consistory. there are not many that agree about the proofoe, parts, office, or lawes of it. In *Geneua* they doe not allow their consistory power to make, or disanull lawes. In *Fraunce* they giue that power to synodes. The consistoriall discipline in *France* was at first receiued of a fewe, and that not for euidence of Scripture, or proofoe, or reason, but by suffrages of the Nobilitie and Gentry (whereof some too well liked the sacrilegious doctrine) and by the earnest labour of *Beza* desirous to conformance other churches to that of *Geneua*, most of the learned ministers dissenting from him, and disallowing his absurde discipline, and not yeelding before the Princes to whome they serued, constrained them. What reason then hath any to pleade for the consistoriall gouernment which is vnknownen to all antiquite, and repugnant to

Apostolicall practise, and the most flourishing Churches in Europe, and was receiued with grudge of learned men, and onely resteth vpon the conceite of *Caluin*, *Beza*, *Daneau*, and some halfe score of blind writers, as *Iohn Baptista* that ignorant *Italian*, and *Sneecan*, and *Bertrand de Loques*, and *Olenian*, and *Robert Stephen*, a better Printer then diuine, and *Peror*, and *de Pluure*, and I knowe not whom, neither of marke nor qualitie? especially seeing so many pregnant reasons are brought against the translation of it from the Iewes, and establishment of it among Christians, as none haue answered, and this libeller thinketh it most wisdome, to passe ouer with silence.

If this be a good argument, that *Daneau*, *Bertrand de Loques*, *Bastingsius*, *Iunius*, *Piscator*, *Olenian*, *Caluin*, *Beza*, *Sneecan*, and *Iohn Baptista d' Aureli* thinke so: how good will this reason be, that all the fathers of all ages haue bene of a contrary iudgement, and diuers godly Martyrs, and learned men in our Church, and other reformed Churches in *Germany*, *Switzerland*, *Denmarke*, induced with better reasons, haue thought otherwise? Besides all this, it shall appeare that those authors which the libeller alledgeth neuer beleueed, that eyther in time past there was a consistorie of partiecoloured Aldermen, like to that this libeller desireth: or that such a one now ought to be placed in euery Church. That *Zuinglius* shoulde teach or beleue that Christ did institute such Aldermen in his Church, as these doe fancie I can no where find. Neyther is it likely that he should teach that abroad, which hee neuer deliuered to his owne Citizens at home.

Aretius speaketh of certaine elders in his Commentaries, ^{In 1. Cor. 12} but whatsoeuer they were, hee thinketh that they ought to haue no use vnder the Christian Magistrate. And therefore by this testimonie these fellows canot win any vantage. That they were not like the disciplinarian Aldermen, it may appeare, for that during the times of persecution, they supplied the magistrates office, and dealt in all causes of the first Christians, as hee thin-

thinketh. Of such elders as *Aretius* speaketh of, it may be that *Illyricus* had some such like conceit: But farre were they both from the opinion of them of *Genewa*, concerning their lordly consistorie, that climeth vp aboue princes.

¹ In 1. Cor. 12.

Out of ¹ *Hemingius* there cannot any such fancie bee gathered, as this of my yong masters the Church aldermen, writing vpon the 1. *Corinth.* 12. hee doeth interpret the worde *ordinances of ecclesiasticall discipline*, which amounteth nothing to the account of these fellowes; yea hee alloweth the ² *prerogative and authoritie of Bishops* aboue other ministers, which can beare no sway among these lordly commanders.

² Syntagm.
Heming.

³ In 1. Cor. 12.

The place of ³ *Hyperius* maketh not to purpose. for albeit he be produced by the libeller as a witnesse for the eldership, yet doth hee testifie against it. for hee saith not, that any such aldermen, as these conceyue, were ioyned with the Bishop in gouernement, and equall authoritie, *but that Bishops used the aduise of ancient and graue men*, not these rough hewen aldermen, that are neyther wise nor graue, but rather grieuous to Gods Church: But most of all doe I wonder what reason the libeller had to cite ⁴ *Bucer*, who in the place quoted, *doth not so much as mention any elders, much lesse teach their office, qualitie and continuance*: but contrariwise hee sheweth, that if there were no other difference betwixt the Papists and him, hee would easily yeelde to bishops their titles, and dignities, and wisheth that Metropolitans, and other bishops would returne to the obseruance of ancient Canons.

⁴ De reformatione
mand. abusib.
ad Imperato-
rem

And so farre was *Bullinger* from fauoring any such new packe of aldermen as these would haue, *that hee yeelded his approbation to the opinion of Erastus, that denied both the presbytery, and presbyteriall censures.*

⁵ In libr. astra-
de excom. in
fine.

⁶ Loc. Com.
pag. 102.

Zegeadin another of this mans witnesses doth say much against him concerning the ⁶ *superioritie of bishops, and newe deuise of doctors*, and other poynts. But where hee speaketh any one worde for the consistorial gouernours, the place can-

not yet be found; what should I stand long in tracing out the notorious falsehood of this forger of false quotations in every paticuler? By these already examined you may vnderstand, how honestly hee dealeth in the rest, and by this also, that it is knowen, that the Churches of *Germanie*, *Denmarke*, and *Suiszerland*, doe all repell the eldership: yea, when certaine factious companions comming from *Geneua*, would haue made some stirre in the ecclesiasticall gouernement at *Zuricke*, *Gualter* resisted them, and the magistrates sent them out of their citie to place their consistories in some other quarter, *in remotis*.

¹ Onely in the Palsgraues dition they say there is some haunt of the eldership to be found.

Likewise doth he report vntueth concerning *M. Nowel*, *M. Fulke*, and *M. Whytaker*. *M. Ngwell* speaketh some what concerning elders, but that he meant the tēporary aldermen, that sprung vp first at *Geneua*, and now v^c to come from the marchants stall, and workehouse, into the Church to order matters offaith and doctrine, it cannot be surmised.

Neither hath the libeller any reason to build his fancies vpon *M. Fulkers* opinions. for in the confutation of the notes of the Rhemish Testament, he doth defend the gouernement of the Church of England, as now it is: & albeit he was sometime of other mind; yet did he afterward retract his former sayings. And when *Iohn Field* contrary to his mind did publish the pamphlet called the learned discourse, hee was offended with him; and if he had liued, would haue confuted the same himselfe. Neither do I beleeue that *M. Raynolds* being so well conuersant in counsels and fathers, doth admit an eldership contrary to the sayings, and practise of both.

M. Whitaker is a man of too great iudgement, to beleeue the vnlettered, & improbable deuise of the consistorie: And well is it kowen, that hee hath taught both publikely, and priuately against it. Neyther is it likely, that hee hath nowe greater reasons to moue him, since he married in the tribe of those that fauour these conceites then before, so that when all is come to all, the authors of this discipline are 20, or 30,

foreine authors, and halfe a score English perfumed with the smoke of *Geneua*, and wel read in *Caluins* Institutions. And the grounds of it are not scripture, nor antiquitie, nor reason, but conceyte and foolish fancie, and the authoritie of such as deserue no credite speaking in their owne cause. If the libeller thinke otherwise; let him (or else because hee is but a man of a weake brayne and small learning) let any of the faction draw forth *Caluins*, and *Bezaes* reasons: nay let either *Beza* himselfe, or any of them answere that which hath bene set forth against their opinions already, and confirme *Caluins* and *Bezaes* weake and euill shapen reasons: and then will the vanitie of all the newe platforme, and also of these allegations appeare.

To proue the continuance of the gouernement by Elders, he falsifieth also diuers authors, as *Quinglius*, *Oecolampadius*, *Capito*, *Melancthon*, *Bullinger*, and maketh lyes vpon *Fulke*, and *Reynoldes*: for I thinke master *Reynoldes* holdeth no such fancy: And I am assured that *Fulke* retracted his opinion, so that his onelie reason also for the continuance of the Eldership, is because *Miconius* & *Micronius*, and *Caluin*, *Beza*, & *Dameau*, and *Caluerton*, *Colladon*, *Taueragues*, *Perot*, *Iacomot*, *Duple*, *Gollart*, *Pollan*, *Perille*, *Henry*, & others neuer heard of in this horribel belecue the continuance of the consistorial gouernment, that we must renounce scriptures, fathers, and al antiquity: which is neither a good, nor learned kind of reasoning. yet for any thing I can see, it is not onely the best, but also the onely reason he vseth. deny the new fancies that they haue deuised, & embraced at *Geneua*, you marre the frame of their consistory. why wee should credit them against scriptures, fathers, stories, there can be alledged no cause. Much lesse is there reason we should belecue *Peter Carpenter* a knowne Apostata from religion, or *Bodin* a man better conuersant in pollicy, then in diuinity, and whose religion was al poperie. yet if we should, I do not finde any thing in eyther that soundeth to the honor of the Aldermens cause. For *Carpenter*, the matter is euident for he

¹ Bodini methodus historiz. c. 6.

most bitterly inueigheth against them of *Geneua*; and not very doubtful in ¹ *Bodin*. For the wordes alleadged out of *Bodin* his methode of histories concerne the Aldermen nothing; *He speaketh of the censure of Bishops*. and did neuer imagine, nor could conceiue, that the censures of the Church were put in the hands of prophane men. *Ille pontificum censura* (saith he) *nihil maius, aut diuinius cogitari potuit*. Secondly, he doeth not commend the men he speaketh of, but the censures, for that they were so strictly executed. Which commendation, if magistrates were as willing to execute the censures of ecclesiastical Iudges with vs, as at *Geneua* they are, would no doubt worke like effectes with vs, as with them. And if the magistrates should not fauour them, they would doe litle good in any place. Thirdly, he commendeth the same censure, not as the institution of Christ, or as a necessarie pollicie for the Church, but as a very good pollicie and ciuill order deuised by men, to keepe the common sort in awe. But what if *Bodin* should say somewhat of matters he vnderstoode not, his authoritie is very weake in this case, being neither good in diuinitie, nor excellent in pollicie, and neither vnderstanding the state of *Geneua*, nor our countrie: and therefore no fit man to make vs here in England new lawes.

In the Harmony of Confessions, there are certaine wordes inserted, sounding much to the commendation of the Eldership. Neither is it to be marueiled, if they of *Geneua* that collected the together, made the wordes to sound as fauourably, as might be for their owne state and gouernement: but that all the churches, or most of the, yea or any, saue the disciples of the *Geneuan* eldership, consent in one harmony of prayes of that forme of discipline, cannot be proued. No, although the authors with ² notorious falsifications, wresting, and forgerie, drawe the sentences of the confessions from their purpose, to speake for the presbyterial gouernment. Wherefore, valesse the petitioner can iustifie this kinde of practise, there is not so much credit wonne by the vaine names of

¹ See the notes in the latter end of the harmonie.

Carpenter,

Carpenter, Bodin, and the confessions of Churches, as there is lost by forgerie, falsifications, and grosse leasing.

To strengthen the weake ioynts of this discreded reason drawn frō authority: he saith, First, *that the consistorial gouernment is also receiued of the Churches of Heluetia, the low countries, Millain, Poland, and Hungarie: Secōdly, that it is vnder the Turke, & among the papists:* wherein he sheweth, either singuler malice in lying wilfully, or presumptuous ignorance in speaking of matters he vnderstood not. For it is wel knowen, that the churches of *Heluetia* neither haue *Geneuian* elders, nor excommunication: And that the churches of the lowe countries (to speake nothing of *France* nor *Scotland*) liue in great confusio, & disorder: a matter rather to moue vs to refuse the consistorie, then to embrace it. And likewise it is euident, that in *Mil-laine*, & *Hungarie*, there is no visible church, but of those that profess poperie. And albeit there be some few elders among the papists of *France, Germanie, and Hungarie*, yet doe they not shew theselues, nor haue they any allowance, or thanks for being there. But what maner of conclusion is this: *That because among papistes and Turkes Elders are receiued, that we must also receiue them?* There are also *Anabaptists, Arrians*, and I know not how many heresies among the *Turkes & papistes*, which no reason requireth vs to embrace. Poperie likewise is professed vnder the *Turke*: not onely this consistorial discipline. So that nothing can be more absurde then to conclude, *that therefore we are to admitte the Consistorie, because it is crept in, in Turkey, and among the papistes.* Likewise, it is a vaine bragge, to say, *That in the Church of Geneva, Scotland, France, there bee thousands, and ten thousands of the best diuines of the worlde.* I would the number of them were greater, and their learning more excellent then it is; I doe not enuie their numbers, nor excellēcie. but the rewarde of learning taken away, and the great decay that hath hapned of late time in those churches; doeth both teach vs what is now, and what we are to feare; and that when the reckonig of good diuines is made, it will

come farre short of thousands: much shorter of tenne thousands. The ignorance & want of ministers in *France*, & other Consistoriall places is too too lamentable, & such is the blessing of this countrie, that one corner of England is able to match them all, eyther in number, or qualitie of learned men, albeit we doe not reason from our owne authoritie.

The conclusion therefore that this bedlem discourser maketh, is too too foppish: viz. *that Caluin, and Beza, and Tauerghes, and Chauueton, and Perot, and I know not who are more likely to finde out the truth, then the author of the remonstrance, and my selfe.* for no man standeth vpon the authoritie of vs two, though the simpler of vs in this cause, feareth not *T. Cartw.* nor *W. Tray.* no nor *Beza* their patriarke, nor all their brags.

Neither doe I desire any man to belecue me, because I say so (this is onely the conclusion of the platformers, that beside the authoritie of men, can say nothing for themselves) But seeing the interpretations of the consistoriall faction are fond, fantastical, singuler, and contrary to scriptures, to the Jewes histories, to all the fathers, and counsels, yea contrary to all reason, & good concluding, & agree badly among themselves, and finally stand vpon the fooleries of the *Gemenians* & their stupide followers, & vpon their falshood, forgerie, false allegatiōs, & abusing of scriptures: I do thinke and auow, that neither diuinitic, nor humaine reason wil permit any man, any longer to be abused by them, or to giue credit to those that vse them. Wherefore considering the weake groundes which the consistoriall gouernement standeth vpon, and the forgerie, falshood, and impudencie whereby it is supported, and the disorder and confusion it would worke in the church, in learning, in lawes, in her Maiesties authoritie, in her reuenues, in euery mans priuate right beside, if it were receiued: and lastly the seditious, & lewd courses that some men haue taken to establish the same: If some haue bin punished; it cannot be denied, but that they haue wel deserued it, yea that they haue deserued more punishment, and lesse fauour. For
neuer

neuer was matter preferred with worse course, which I doe not speake, for that I would haue either the disciplinarians faultes, or penalties aggravated. (for the faults are grieuous inough already, and the punishment I referre to our superi-
ors:) but least any should surmise they are wronged, or that the lawes are rigorous, or that the proceedings of her Maie-
stie, and officers against them are iniurious. For further de-
claration whereof, I haue thought good, not onely to an-
swere the vaine cauils of the petitioner against the procee-
dings of Iudges, and their sentence pronounced against *V-
dal*, but also to maintaine and iustifie their vpriight and good
dealing thetsein. It may seeme strange, that lawe should not
haue strength sufficient to defend it selfe against the malice of
these men. But seeing the vigour thereof is either dulled, or
abated, and men suffered to declaime against Iudges & lawes;
let vs assay, whether with reason & argument we can defend
lawe: A matter albeit hard, where the readers are such, as re-
pugne against lawe, and are led forth without reason, yet ve-
ry easie to be effected, where those that shall iudge, vnder-
stand both lawe, and reason, vpon confidence therefore of in-
different, discrete, and wise mens iudgement, I commend this
chapter folowing to thy reading,

C A P. 3.

*That the proceeding against Iohn Vdall was iust and lawfull, and that the
platformers are iustly charged with breach of diuers lawes, and guiltie
of faction, sedition, and diuers other crimes, notwithstanding the excepti-
ons in that behalfe brought by the petitioner, or others, against the lawes,
and Iudges.*



Would not haue thought, that any had bene
so lewde, as publicly to condemne Iudges
of iniustice; or so foolish, as to oppose them-
selues against the execution of iustice, had not
this lewde libell declared the platformers to
be of a strange humor, and malcontent, both with Iudges;
and

and lawes. By these I doe see, that it sorteth wel, that men that desire innoation shoulde speake against lawes, & that such as doe liue in disorder, and are voyde of reason should speake against iustice, & reason. *John Vdall*, a man vtterly vnlearned, and very factious was, as you haue heard, condemned vpon the statute of 23 Eliz. 2, And for diuers other disorders mentioned in the inditement: That it was iustly, & equally done, the greatnes of the offence, being faction, and sedition; the sincere and vpriight dealing of those honorable persons, that then were Iudges; the allowance of others the most reuerend and learned Iudges in the land, resoluing on the case; the indifferencie of the Iurie; the clemencie of her Maiesties gouernement; the witnesses, and proofes; the fauour offered to the prisoner; the obstinacie of the partie, the testimonie of all that was present, can declare. Against all these, a certaine *quidam libeller*, lately distracted of his wittes, and yet not well recovered, taketh on him to argue boldly, malapertly, yea & very loosely, and foolishly. But his malapert, & saucie dealing I leaue to gouernours to be considered; his loose and foolish dispute, I doubt not to make manifest to all that shall reade this discourse.

His first exception against the sentence pronounced against *Vdall* is, *For that he diffamed not her Maiestie, which the law provided for, but Bishops that are no parte of her Maiesties body politique, nor any of the three estates of this realme.* wherein he doeth not onely deny things true, and affirme things false: but also talke of lawe, like a stranger ignorant in lawe, and alledge an impertinent, and not concludent matter. That he diffamed her Maiestie appeared at the time of his triall by his writings, and out of his seditious sermons, and speeches proued by diuers witnesses: and cannot now be called in queltion, seeing he that speaketh against her Maiesties supreme gouernement in ecclesiasticall causes, her lawes, her proceedings, and all those ecclesiasticall officers which rule vnder her, as *John Vdall* and his felowes vse to doe, diffameth her Maiestie.

yea and that much more, then if he should touch her priuate person. for that concerneth her gouernement, and therein is she touched especially as a prince, and her princely authoritie & maiestie disgraced. And therefore, seeing that is the common case of all the puritane faction: all they that write for their pure gouernement against this state, are diffamers of her Maiesties princely dignitie.

Secondly, hee denieth the Bishops to be one of the three estates of Parliament, and the Cleargie to be one of the three estates of the Realme; contrarie to the reckonning of this Realme, and common speech, and actes of parliament, whose common stile is the Lordes spirituall and temporall, and commons of the realme, contrarie to the vse of the French, from whence wee had the ¹ worde, and which call the parliament the assemble of the three estates: and contrarie to the reckonning of all Christendome, that deuide the realme into the ecclesiasticall state, nobilitie, & commons; yea contrarie to Christianitie. For who will reckon the estate without mention of religion, but such as seeke nothing but their cause and profite without consideration of religion? in the actes of parliament made at *Edinburgh* anno 1584, these wordes are often repeated. *His maiestie and the three estates.* And againe: *Our souereigne Lord and his three estates in this present parliament.* The heathens reckened but two estates, to wit, the ² nobilitie, and commons. Christians euer reckoned the ecclesiasticall state one. neither doeth any lawyer say contrarie. In a certaine report of Iudge *Dyer*, we reade, that one certaine lawyer is of opinion (for reason he bringeth none) that the parliament consisteth of three partes, the Prince, the Lords, the commons: but we reason of the parliament considered as a bodie of it selfe beside the prince: as it is in common speech considered. for so we say, the king in his parliament assembled at Westminster, or the king to the parliament, or parliament to the king. In which kindes of speech, if you make the king a part of the parliament, you make the prince to treat with himselfe, which cannot be. Besides that, you iumble the lords

¹ l'assemblee des troys estats. viz. le clergé, la noblesse, & communauté.

² Senatum & plebem.

³ P. anno 36, & 37. h. 8. f. 60.

spiritual & temporal together & make but one state of them, which is cōtrarie to cōmon speech. Last of all, you make the prince that is head, equal with the partes, and make others as good as him: which is the endeouour of this libeller. and therefore I say, that the prince is head of that body that consisteth of three estates, viz. the lordes spirituall & temporal, & commons: which cōcurring make lawes to binde the realme. neither is it true, that the bishops by law may be excluded out of parliamēt. For in al parliamēts ordinarily their assent is set downe in tearmes. What is done, or what hath bene done in fact, I will not say. So the lordes or cōmons may also be excluded, but we reason of law. And if the bishops may bee excluded, thē may the nobilitie be excluded also. For the lords consist part of bishops, part of temporal lords: & both haue equal right. That the bishops cannot be excluded by right, appeareth by the lawes and customes of this land. Sometime they departed because they would not be at iudgement of life or member, which they supposed to be contrarie to canons, or because they would not decree contrarie to canons; but that was their wilfulnes, that they were put out, as the libeller holdeth, cannot be proued. Neither *Jewel*, nor *Bilson*, nor any lawyer will say it: wherefore that I haue said, that they are one of the states of parliament, I proue by the general tearmes of statutes, by common speech, by original of the phrase, by orders of other nations, by common account of Christians, and the libeller hath sayd nothing to the contrarie. For both in *Dyers* report, & also in other cases, vnder Lords, are cōprised both the Cleargie, and Nobilitie: which al the learned make two estates, howsoeuer some seeme to make of two one. And contrarie to the report of the argument made by iudge *Dyer* al the learned do reckō. For he maketh the prince one of the three estates, which of al other is made the head of them.

He affirmeth that many lawes were made, the bishoppes either being neglected, or not called to cōsell: but he erresth. For it doth not appeare, that euer any parliamēt was assum-

¹ Jewel. def. of the Apo.

² Certaine statutes haue bene made by the king, lords spirituall, and commons: others by the king, lordes spirituall and temporall. I throughout all statutes.

⁴ 11. H. 7. 27.

⁵ 7. H. 7. 14.

eyther went out willingly, which they did sometimes where matters of life and death were handled; or left their voyces by proxie with temporall lords, sitting still & saying nothing. yea al lawyers can tel him, that where there are more bishops then other barons in the vpper house, no act can passe against al their voyces: And that some acts haue passed by the assent of the Lords spiritual & commons; and many ancient actes without any voyce, or assent of the cōmons; & yet should the libeller reckon absurdly, if he should deny the lords or commons, to bee among the estates of the land, which some call *Ordines regni*.

In all this discourse of bodies politike, the libeller talketh neither like politike, lawyer, nor diuine. for seeking the trouble of the state, and ouerthrow of the ministry; litle doth he seeme to vnderstand what belongeth to policie: and neither yeelding to her Maiesties prerogatiue, nor wel defining what bodies politike are, nor howe they are made, nor what right they haue: and going about to dissolue lawes, & call Iudges to render accompt to priuate persons, and to traduce trials, and iudgements orderly passed, can it be surmised that he vnderstandeth any one poynt of law, and who wil imagine, that he vnderstandeth any diuinitie, that saith, that bishops haue onely authoritie from men? for albeit, they bee called externally by men, yet haue they authoritie also from God. doth he not vnderstand, that not only ministers, but also inferiour magistrates haue power both from God and men? if he haue not learned so much, the Apostle wil teach him, that there is no power but of God: and Apostolical writings declare that the power of preaching & of administring the keyes is from God; & that as Bishops and ministers haue power, and an externall calling giuen them by men, so they haue a warrant also for that calling in Gods worde, in which God nowe speaketh to vs; and that these two are not contraries to haue a calling from God, and another calling from men; And therefore, where he chargeth vs to speake contraries, he

* Matth. 28.
& ephē. 4.
& rom. 13.

is much abused. The error was in his owne vnstayed and blunt head, that could not pearce into this distinction.

But suppose there had bene no error in all this discourse: yet is it absurd, because it is not to purpose. for be there two generall bodies in the Realme or more: and be it, that the bishops are part of the polittike bodie of her Maiestie or not: yet if *Iohn Vdall*, and his fellowes haue diffamed her Maiestie, they are to be punished, and among the rest this fellow: which had bene greatly to bee wished: for then had hee not wearied the reader with his friuolous discourse.

That they haue diffamed her Maiestie, the libeller proueth by way of obiection. wherein though his skill bee little: yet I graunt the conclusion. neyther can hee with all his skill answer that little obiection, which himselfe hath made. what then neede wee vse many words to ouercome him, that like a frantike disputer hath wounded himselfe, and made such an obiection, as he cannot assoyle?

His second exception brought against *Vdals* condemnation is, *for that he wrote not aduisedly*. which if it were as concludent as true: I would yelde he had reason. for most true it is, that he wrote not aduisedly. Nay it is a common fault of this faction, that neyther writeth aduisedly, nor soberly. But it is no excuse for *Vdals* offence. for albeit he wrote not aduisedly, that is, discretely: yet did he write aduisedly, that is, of set purpose, those things that tend to the disgrace of her Maiesties gouernement. Hee wrote also maliciously, and vttered in his bookes, and sermons seditious matters. And it is not onely his fault, but of diuers other of that sort. which three points although hee goeth about to cleare, yet doth hee nothing, but tell vs a long fable of his new discipline, enterlarded with contumelious speeches, part against king *H. the 8.* and *William Rufus*, and part against the present gouernement, filling vp the measure of the factious consistorials iniquitie.

But before he commeth to the matter, he goeth about to proue, *that for wordes spoken of simplicitie no man is to bee puni-*

shed: And sheweth great eloquence in that which no man, I thinke, sure I for my part meane not to denie. He telleth vs a tale of Carmichell of Scotland, that was compelled to burne his bill for that hee sayde in his sleepe the deuill take away the priestes: which concerneth the matter in question nothing, but that he would haue a glance at the cleargie, whom in disdain the factious sort call priestes, when as the name of priestes is the best title whereby their elders claime their inheritance. Another tale hee telleth in disgrace of king *H.* the 8, of famous memory: whome hee chargeth with great iniustice for causing the execution of Burdet the Marchant that dwelt at the crowne. for these are a kinde of cures that bite quicke, and dead. A third tale hee telleth of William Rufus, whome hee chargeth with fauouring Iudaisme, and forcing some to rinegue Christianitie: which is a litle more then can bee proued, and much more then wisdom required to bee vttered; tending to the slander of Christian religion. this prelude made, hee falleth to his matter, and goeth about to prooue, that he wrote not aduisedly to diffame her Maiesie

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To prooue this hee saith, that Iohn Vdall and his companions onely seeke to haue the corruption of the time redressed, and write against ignorant, vnlearned, negligent, presumptuous ministers, against the remnantes of popery and Idolatrie, and against enormous corruptions: wherein hee auoweth they haue done nothing, but as the prophetes of olde time did, that exclaime against dumbe dogges, greddie dogges, and the high places, and as in time of popery some did, which inueighed against popish bishops: and affirmeth that they would write so much against th:ir father, if hee were a bishop, or non resident: matters most absurde and false. for neyther haue these leude and loose companions such a commission as had the Prophetes, nor is the ecclesiasticall state to be compared with the idolatrous and wicked priestes, or popish bishops. Neither haue the same followed the steps of Prophets, or any propheticall persons. Gods Prophetes they speake nothing but truth: these are still telling vs prodigious

gious, and false tales of their consistorie, and counterfeit discipline. The Prophets neuer rayled against authority, nor gouernors, these raile against ecclesiasticall, & ciuill gouernors, and al that withstand the. the prophets shewed not theselues vnnaturall to their parents, these professe vnkindnes. they did not assemble in seditious sort, nor go about to make new lawes for the Church, as these did. They neuer by wicked conspiracy went about to establishe any newe fancies, as did *Wiggin. ton, Hacket, Coppinger, Cartm. Vdall*, and all that were acquainted with that action. They neuer declaymed against others, being most guilty theselues, as these fellowes do, which being most negligent and loose in laboring, most vnlearned and ignorant, full of newe fooleries, doe notwithstanding inueigh against others so bitterly, that as this wise fellow professeth, they wil not spare their father: no nor mother: and why? forsooth because they are of those which *S. Paul* speaketh of, and telleth you, that they are without ¹ naturall affection.

¹ 2. Tim. 3. 3.

This defence therefore is vnsufficient: first, for that it is false: for they doe otherwise then they professe: And secondly, for that they confesse in this treatise at vnawares, that they dis-
fame her Maiesties gouernment, affirming the same to be full of enormous corruptions, and to haue in it reliques of Idolatrie, and impietie, and to mainteine a wicked and vnsufficient ² ministerie: imitating therein, as vnderhand they insinuate, the wicked kings of *Israel*, and cruell tyrants that persecuted the Church. And lastly for that hee auoucheth, that in those times, no man was accounted a diffamer of princes, that spake against the ecclesiasticall lawes and state: which cannot be prooued.

² The ministry of England is better without comparison, then that of France, Scotland, or Dutchland.

To iustifie his companions doings, he telleth vs further, a long discourse, how they pray for her Maiesty, how they pay subsidy, how they fought for her Maiesty when the Spanyards were here. And how some whom England shall remeber while it is England, ventured as farre as any. which is no more the the papists professe, nor the Iewes & Pagans do: which yeeld al duties to princes, & fight when as the Puritanes plaid the cowards, & few

shewed themselves, for I knowe diuerse that being there, sawe, very fewe puritanes armed to mainteine this bragge. But so deinty and nice they are, that they exclaime if they be not highly rewarded for euery litle dutie: yea, for fighting for themselves & their countrey: and plainly professe, that without their desires for discipline, they meane to withdrawe all dutie. And therefore this is but a vaine bragge of praying, preaching foure times a day, and I knowe not what. for their tumultuous praying, and prating in those times did rather discourage, then encourage any: and was rather the beginning of tumult, then any encouragement. and hee that preached foure times a day, had much idle talke, and made many vnsauorie discourses. But suppose some fewe of these men shewed themselves loyall, and were so ventrous as to come to Tilberie, or rayle against the Spanyardes; yet others, as it may well be surmised, were framing supplications, and providing horse and armes, to come to present them al in armes. Then did *Martin* frame his seditious libelles; then others preached seditious sermons, all tending to the weakning of those that willingly offred themselves in that seruice. And *Martin senior* professeth that when the enemy was readie to assayle vs abroad, there were a hundred thousand handes readie to subscribe the supplication of puritanes at home: which saith he, *in good pollicie, (we being in feare of outward force) might not bee denied, nor discouraged.* Then which there can bee no greater argument of their disloyall proceedings.

Where they are charged with rayling against the princes gouernement, they excuse it saying, *that therein they meant no more malice to her Maiestie, then the godly prophets, that vnder Ezekiah and Iosiah reproofed the abuses of the Church.* which is a point, which must bee read with great patience. for who can else endure to heare them compare themselves to the prophets, their doings to the doing of the prophets, the comparison being so vnlike? Gods prophets were humble, meeke, peaceable, and possessed with Gods spirit. These are proude,

disdainefull, contentious, and driven with other ſpirits; They neuer ſpake againſt the ſtate; nor condemned the calling of prieſts, nor ſaid that the lawes were antichriſtian and diuelliſh: theſe ſtand eſpecially on theſe points, & abuſe the gouernors, and rayle againſt lawes, and this fellowe as malepertly, as the beſt.

He would further make the worlde beleue, *that his elents ſeek only for reformation, and doeth euery where dubbe them with names of ſeekers of reformation.* But great difference there is betwixt pretence and performance. *Iacke Strawe* and *Wan Tyler*, and *Kett of Norfolk*; and all rebels pretend reformation as well as theſe, but the courſes, and decedes of both reed to nothing but diſorder, & conſuſion. the prince they would abuſe, the Church they would ſpoyle, the eccleſiaſticall ſtate they ſeek to abolish: learning and rewardes in all places where they come, they take away. Moreover hee goeth about to prooue, *that biſhops may be hated for their doctrine*: and firſt, for *that they impugne that, which heretofore they haue taught.* but neither is his cōſequent good, nor antecedit true. for albeit that biſhop *Elmar* ſpake ſometimes againſt the exceſſe of biſhops liuings, as he then imagined, not knowing in what ſtate they ſtood, yet did he neuer condemne the degree and dignitie of biſhops. nor did biſhop *Bollingham*, as it ſhould ſeeme ſpake againſt the manners of others then papitiſticall biſhops: *uſurp*edly againſt the degree of biſhops he neuer ſpake. Neither are the opiniōs of one or two, to be aſcribed to all: but if they which ſpake contrary to themſelues, deſerue hatred, what doeth *Tho. Cartm.* deſerue, that in many things ſpeaketh hee knoweth not what, in ſome things contrary to himſelfe, as in *election of miniſters, power of the preſbytery, and diſcipline*. And what doth the Libeller deſerue that confeſſeth hee ſaith he knoweth not what, contrarying his whole diſcourſe?

Another reaſon hee bringeth to prooue that biſhops may juſtly be hated, and *thus it becauſe they confeſſe* (ſaith he) *inſigne abuſes to be in the church.* But the ground of the reaſon is falſe:

for no bishop did euer confesse so much. nor doth it follow, because some one speaketh vntrueth, that all the cleargie of *England* should be maligned, and hated.

I hardly, he thinketh them worthy of hate, for that hauing taught that a bishop & priest is all one by Gods word: they now teach, that all that holde so, be hereticks. But he doth vs wrong for charging vs to say, that a bishop, & priest is all one by Gods word: the word *Episcopus* & *presbyter* in scriptures is commonly vsed for one: but we speake english, & call those that rule bishops, and others priests: which distinction we find plainly in scriptures: and therefore holde the teachers of equality to be *Aerians*, & confounders of gouernment, & to be iustly condemned not only by *Epiphanius*, but also by *Augustine*, yea & by the consent of all the fathers, that distinguish priests into 2 sorts, giuing the name of bishop to those that rule, and priest to the second that are ruled. And therefore most sencelesse is their reason, that because they haue all one name, will conclude of it equality of all ministers. For magistrates, teachers, subiectes haue all one name, and yet are diuided into diuers degrees. In vaine therefore doth the libeller bring proofes that the words *presbyter* & *episcopus* are commonly taken for one, for that notwithstanding there may be difference of degrees, howsoeuer they wil answere this obiection: yet is it apparant, that the same ouerthroweth, as I said, their consistorial aldermen. Away the with the new church aldermen, & those heretikes that mainteine them: for albeit *Epiphanius* erred in accompting them heretikes that prayed for the dead, yet is it same no reason to shew he erred in this, which not only *Augustine* mainteineth, but all the Fathers also. & not only they, but the foure general councils, which this land approueth so that by the lawes of *England* they are heretiks, & hold the equality of ministers. what shames dealing the was this, for the libeller to alledge *Syriake* interpreter, or *Chrysostome*, or *Ambrose*, or *Theodores*, when no one speaketh for equality, every one defendeth degrees in the ministers of the word: but the word *castis* saith he, comprehendeth

deth both bishop & priest, what the? so doth a living creature comprise men & beasts: yet are not both equal in dignity: neither doth it help him, the order of priesthood cōpriseth both bishops & priests; for it doth not take away 1 dignity of some about others: what needed then so many names of *Wiccliffe*, *Marsilius of Padua*, *Luther*, *Bullinger*, *Jewel*, *Melancthon*, & others that speake as we do? or *Caluin* & his fellowes that speaketh against al antiquity? or what needed this compaignion to muster so many names either of protestant churches, seeing they were not of *Caluins* opiniō, or of papists: seeing we do not follow *Bellarmin*, *Stapleton*, or papists, but antiquity that speaketh as we do? Neither doth it follow, *that the ecclesiasticall state is to be maliced for teaching that Pastor and Doctor are all one*: for so hath all antiquity taught: and their interpretation by all antiquitie is confirmed. Neither is it material what *Caluin*, *Beza*, *Daneau*, *Bertrand de loquēs*, *Villiers*, and other say to the contrary, seeing they talke contrary to antiquity, reason, and all practise. Finally, their owne practise and diuers reasons stand against Doctors, which neither the libeller, nor his mates make any haste to answer.

Chrysoft. Hieron. Augustin. in 4. 2d Ephes.

The exposition of the word *ἐπισκοπος*, is most absurdly forced by these compaignions to make against superior degrees in the ministry. for that the apostles notwithstanding Christs prohibition, *τις ἢ ἐπισκοπος*, were superiour to other degrees of ministers. And very absurd it were, if Christ should suffer tyrants to oppresse the people, and forbid lawfull authoritie to the ministers: by which also, would fall the authoritie of the consistorie, and ministers liue without controlment. And therefore as long as these fellowes interpret against all scripture, antiquitie, and reason; yea and themselves too: it skilleth not what they say against superiour degrees: Against which *Luther*, *Zuinglius*, *Melancthon*, *Caluin*, *Bullinger* and the rest are most peruersely alledged. They say, and so likewise *Jewel*, *Sadeel*, *Bridges*, *Bilson*, *Whitakers* and others say, that bishops, as bishops may not take vpon them the rule of king-

Math. 20. 25.

domes; nor rule with force like Princes, But who is so simple as to cōclude hereof, that one minister may not rule another, as these fellows doe? But suppose some of our learned men should interpret *anathematis*, otherwise then Calvin hath done, must all the clergie suffer for one mans not yeelding to Calvin's fancie? Or because some denie that soueraigne princes may be excommunicate defending therein the soueraigntie of princes, against the rebellious Papists and Puritans, must therefore the Ecclesiasticall state bee dissolued? nothing is more absurde. for herein as the aduersaries deserue punishment: so our men deserue speciall commendation, in confuting the seditious doctrine of factious persons.

They also consent flatly with the Papists in denying the princes supremacy in making lawes, iudging of ecclesiasticall matters, or appointing others to iudge them, & diuers other points. neither can the libeller sever their opinions from the: for first it is false that he saith, *that the Papists exempt their clergy in ciuill causes from the princes iurisdiction, or that the consistorials doe giue authoritie to the prince to deale with their consistories & pastors in ecclesiasticall causes, so long as they iudge they haue done well themselves.* for they take the dealing therein from the prince, and giue power of deposition to their eldership. And as the consistorials say, that the prince may enforce their cōsistories making wicked decrees; to make better, (which taking the iudgement of those matters from princes, I see not how they can well do) so the papists wil haue the prince not only to reforme ministers, but the pope himselfe also. *Si Papa sit incorrigibilis, Imperator potest procedere contra ipsum* saith ¹ Heruey: *papa potest accusari coram Imperatore*, saith ² Zabarel. The papists confesse, that princes may make lawes with ³ aduise of the pope, as these confesse he may with the aduise of the consistory. They confesse that the prince may take order where the Pope is incorrigible, as these say, where their pastors are wicked and vngodly: & therefore the libeller doth nothing but fable, where he would sever the cōsistorials from papists. but what should we looke

¹ Herueus de
potest. papæ
c. 13.

² Zabarel lib.
de schism. &
concil.

for other at his hands, seeing he is not ashamed to say, *that the consistorials wil subscribe to the apology of the church of England, and the articles of religion authorised and published by parliament, which deny the degrees of the ministry, and oppugne them which are confirmed both by the apology, and by articles of religion professed in this church?* Lastly, they take exception against vs, for *that we teach that the best writers are against the eldership*, as if it were not proved by such authors & argumētts, as these fellowes as yet delay to answer. As for *Daneau*, and certaine pery companions defenders thereof, their authority is of no weight speaking against such antiquitie, and consent, and reason.

All the ancient Fathers, and of late writers, Melancthon, Luther, and of others the best

The Libeller would also haue the ecclesiasticall state made odious for their misgouernment: a very malicious and insufficient course. for suppose that 3, or 4 should doe against lawe, is it reason that law should be taken away? or that many should suffer for a few mens faults? how much more vnreasonable is it, that the same should bee oppressed, for supposed misgouernment? That articles are ministred to parties conuented in law, and subscription required to lawes, is most consonant to lawes: neither is any thing in the lawes of England, or the statute 25. *Henr. 8. 19.* there to the contrary. The Libeller seemeth not to vnderstand himselfe nor others, when hee talketh of bishops deuising articles, and subscriptions, and publishing them in their owne names: for there can not be deuised a more absurde kinde of speech. Subscriptions are required of others, and not published; and articles are obiected as private meanes to bolt out truth, & not as lawes to be practised. A course vsuall in all courts of chancery, eschecker, & starre chamber: but what reason had this fellowe to obiect to bishops that which they doe not, when *Th. Cartw. and his 2 fellowes contrary to the statutes and lawes of the Realme, assembled in secreete manner, made lawes, and subscribed them, and published them among themselves, and yet are not punished for it?*

At Warwicke, Cambridge, London &c. the aforesaid are euident sufficient

They say, that bishops appoynting speciall prayers vpon occasion of

of the inuasion of the Spaniards, and other speciall causes, doe contray to that which they require in others: but they mistake. for those offend not, that in euery point of the Communion booke obserue not strict order, which the booke in some case alloweth: but such malicious felowes, as of maliciousnes refuse it, and contemptuously oppugne it. Neither is the vse of speciall prayers vpon occasion, contrary to the vse of the booke of common prayer subscribed vnto with exclusion of all other orders of common prayers: for both may stand together. Neither did Bishops any thing in this behalfe without her Maiesties speciall commandement: But these fellows are of those, that allow nother Maiesties godly orders, nor any thing done by Gouvernors. nor any prayers but fond, loose, vaine, and absurd babbling oraisons of Puritans: and seeme to be fory, that any should pray against the Spaniards.

They thinke also, and the Libeller affirmeth, that it is as lawfull for contentious persons to refuse the surples, as for Bishops not to vse pastorall stauces. But it is most absurde so to say, the vse of the surples being confirmed by law, the vse of the pastorall stauces not being required by lawe, or custome: But were pastorall stauces enioyned by lawe, is this a good reason, because Bishops offend, that euery lawlesse companion should passe without controlment?

That *Cowdry* was punished by order of lawe is apparant for that the statute doeth authorize the high Commissioners to proceede according to their Commission. If any fault were therein committed, it was that he was vsed with so much lenitie: Neuer was any more obstinate, nor could any man haue more fauor especially without desert, for neither had he learning, nor other good qualitie, nor was any more factious.

That felonies were examined before the high Commissioners Ecclesiasticall, is a vaine cauill. neither doeth it follow, because vpon examinations of matters, felonious libels are found out, that they proceede to the cognition and determining of felonies. Neither do the Ecclesiasticall Iudges contray to law either

His cause was almost two yeeres in handling, his conformitie continually being expected.

either in citations, or ministring othes in causes *ex officio*, or punishing lewde & factious perturbors of the state. If this fellow doe maintaine the contrary: let him leaue his idle quorations, and set downe the wordes of law, & enforce them by argument to his purpose. Otherwise all men may see he goeth about rather to calumniate good men: then to iustifie any accusation against his aduersaries. If he prooue nothing, let him be ashamed to cal his factious companions seekers of reformation: *their libels and friuolous pamphlets, bookes of reformation*: and cease to impugne her Maiesties lawes, & sentence of Iudges against *John Vdall*, whose fact no man can defend, but such as maintaine sedition, & faction: nor praise, but such as are enamored of senceles & vnlearned hypocrites: & let him cease to charge the Bishops with seeking his life. for they are not his parties: nay next to her Maiestie he is to thanke some Bishops for his life. for if they had bin as he saith, nay, if some had not entreated for him, percase he had bin hanged, & all this controuersie taken vp and ended. If he cease not, percase the world will thinke that *Vdall* deserued rather more seueritie, then is now shewed to him: and that the libellers bolde demeanour may procure him to haue iustice for his foolish prating, rather then fauour for any wittie reasoning.

Hitherto all the Libellers dispute is without sequele. for *admits some one or more shoulde teache falsely, or doe against lawe*: yet is it no reason, that euery base companion should with open mouth rayle against her Maiesties gouernement and Lawes, and call them Antichristian, and speake against the whole cleargie, yea against Iudges, and all that fauour the present gouernment. Let those that haue taught falsely be refuted, and those that haue done leudly bee punished. That the state should be dissolved for the misgouernment of particulars, no reason will admit.

That the *platformers offer their lines to prooue their discipline*, (which the libeller alledgeth to excuse the) is a sencelesse reason. for no traytors, nor felos deale in any cause: they vnder-

take, but they offer and venture their liues for it: yea, and *Iacke Strawe* & *Hacket* offered their liues, to prooue their reformation; whereas these fellowes contrariwise, are very loath to loose liues, lands, or goods for their discipline, and loose nothing but with much grumbling and repining, and come farre behinde the Iesuities and Papists in that poynt. And so simple is their prooffe, that if they bee wise, they will not venture any thing vpon it: for the demonstrations of discipline stande confuted without repleye, and all their presbyteriall imaginations rest beaten without answer: neyther is any argument in all T. C. his great confused *Chaos* of replies left vntouched. His multiplicite of wordes wee leaue to factious Puritans that speake ordinarily without sence or matter to play withall.

To excuse his fellowes silence, the Libeller pretendeth want of libertie, & Printers; which cannot iustly be alledged: for how can they want printers, hauing *Waldgrau* in *Scotland*, and others at *Geneua*, *Middleburg* & *Leyden* at commande-ment, beside their priuate presses? Or how can they pretend want of liberty, seeing none haue bene long imprisoned, and many came neuer in prison? That which the libeller here inserteth againe of other churches, *whome hee would haue vs to conforme our selues vnto*, he would neuer haue mentioned, if he had vnderstood the grounds of his owne discipline: for them selues say, *that all Churches be aquall*, and it is apparant that e- uery christian realme and Church is to be governed by her owne lawes: but these bee the fellowes that would translate the Popedome to *Geneua*, and haue vs fetch lawes from new *Rome*. Seeing then that *John Vdall* and his companions haue maintained a lewde and fond gouernment neuer heard of in antiquitie, and by wicked forgery and lyes haue gone about to disgrace the present state and the gouernours, and haue rayled against her Maiestie and lawes; and that the Libellers defence is most friuolous, it can not bee denyed, that they haue written maliciously to diffame her Maiestie:

• Discipline
de l'eglise.
Francoise.

And good is were, they had stayed in writing: but they would not be ruled. for *T. Cartw. Joh. Vdall*, and others were acquainted, but too well with *Hackets* conspiracy.

His third exception against *John Vdals* condemnation, is for that he wrote not against her *Maiesties* person: But the same is very frivolous, for the *Maiestie* of a prince consisteth in his power, lawes, gouernement, and not in his particuler person, or priuate qualities or behaviour. Neither are the papists punished for speaking against her person, but speaking against her supremacie and lawes. Therefore seeing hee confesseth he wrote against her lawes and gouernement, hee must also confesse, that hee offended against the statute that made it felonie to write malicious, & diffamatory matters against her *Maiesty*. The preamble declareth as much, for that the same pretēdeth, that certain persons euill affected to her *Maiesty* should be suppressed: In which number these that would disanul her gouernment, and would bring her in subiection to *Hackets* prophets, or the propheticall consistory are especially to be reckoned, & it was the special meaning of the parliament that the malepartnesse both of papists, & puritans should be repressed: as some there present in parliament do witnesse. Neither is it material, that penal lawes are of strict interpretation, for expound it as strict as you wil: it cannot bee, but those that diffame her *Maiesty* any way, either in person, or gouernment must fall within the compasse of the statute. That which is brought of the statute of 19. *Eliz. c. 1.* and 1. & 2. of *Mary. 2.* is idle talke, and concludeth nothing. neither is it true, that those that account her *Maiesties* religion, & lawes heretical, and schismatical are without the compasse of the statute, that maketh it treason to call her *Maiesty* schismaticke, & heretike. sond likewise it is, that he talketh of stealing of horses, and contrary to his purpose: Seeing hee maintaineth a cōpany of asses, that would encroch vpon her *Maiesties* gouernment, & steale away the hearts of her people.

But saith he, her *Maiesty* is a body politike in fiction. which is vntrue, for shee is in truthe a politike bodie: That is hath a

reſemblance of a body truly. But were ſhe not a politike body at all, ſhould it be lawfull to diffame her lawes, and gouernement? This exception therefore is beſide the lawe. for be ſhe body politike or no, if her Maieſtie be diffamed, then is an offence committed againſt that ſtatute.

3 Again he obieſteth, *that if it be a diffamation of her Maieſtie, to ſpeake againſt her eccleſiaſticall lawes, they ſhould alſo diffame her Maieſty that ſpeake againſt the eldership.* which is an argument like to the reſolutions of the eldership, that is, ſenceles, & ſoppiſh. for admit her Maieſty tollerate the french Church, yet doth ſhe not confirme their french lawes, no more then they of *Geneua* confirmed the orders of the Engliſh Church at *Geneua*: nor do other confirme cōtrary religions which for ſome occasions they tollerate; ſo that, to ſpeake againſt the abſurd gouernement of that company, *that contrary to law and conu- nant haue exempted themſelues from the biſhops gouernment, and erected ſynodes,* is to ſpeake in defence of her Maieſties lawes, and not againſt them: whereas theſe fellowes offend in direct oppugning all her Maieſties eccleſiaſticall gouernment.

* In king Edwards dayes the Churches of ſtrangers were ſubiect to their ſuperintendents: in this Queenes time to the biſhops of Canterbury and London: againſt whom while vnkindly they ſpurne, they ſhewe themſelues vngratefull, not only vnmindfull of her Maieſties benefits.

Sixtly, he inferreth, *because it is not reaſon to kill biſhops, or other ſubiects, nor felonie to write or to ſpeake againſt biſhops gouernment, that therefore her Maieſtie is not diffamed, when they are diffamed.* A reaſon rather to kill the libellers cauſe, when al men ſee his malice, and ignorance, then to hurt others. for no man ſaith her Maieſtie is diffamed, becauſe libels are writtē againſt biſhops, or others, but becauſe the ſame libels doe touch her maieſties gouernment, & lawes: and that not in one or two points, but in the very whole body & gouernement eccleſiaſtical of her maieſtie, and that in moſt diſordered maner: and that the authors therof are therefore puniſhed for perturbing the ſtate, not for their ſond opinions of diſcipline. Neither doth the libellers friuolous talke of politike mēbers, or of diſfaming the Dukes of *Saxony* or high *Almaine* pertaine to this purpoſe. The ſeditious bookes of the diſciplinarian faction haue bene intended againſt her maieſtie, & nor the Dukes of

Saxony, or kings of Denmarke, albeit they touch them in some sort, that maintaine the superiority of bishops also.

He saith also, *that the intension of the parliament, was not to protect bishops: as if they meant not to maintain the lawes & state.* But admit it be true: yet it maketh neither hoat nor colde to this purpose. for these seditious fellowes are not condēned for speaking against bishops, but for that arguing against them, and the ecclesiastical state, they proceede in such violent sort, that they neither spare her maiesties honor, nor her gouernment in ecclesiastical causes. that the meaning of the parliament was to repress the malice of puritanes is most certaine, for it was expressly mentioned at the time of making the act by diuers of the house. and therefore iustly are they to be punished by that statute.

Further he taketh exception to certain canōs in use, as he supposeth, as that womē may not sue their husbands for adultery, &c. & that spiritual kinred hindreth mariage, & others concerning excommunication & fasting: & therefore concludeth, that if it be lawfull for some to find faulds with the, & yet do not diffame her maiestie, that I. V. d. diffamed not her maiestie. but both his reason is naught, & his iudgemēt in law simple: for albeit men are not accounted diffamers of her maiesty, that reprehēd some law with modestie, yet can no man cal her maiesties gouernmēt antichristian, nor raile against her lawes & gouernment as idolatrous, & superstitious, without diffamation of her maiestie. Nor is the sufferance of some mē, that deale modestly, a cloake to couer seditious persōs that deale factiously, & maliciously. The lawes & canōs which he mētioneth are vtterly mistakē. Behold I pray you the mās simple I kil. first saith he *there is a law, that womē should not sue their husbands for adultery.* But in the place he quoteth there is no such matter, nay which is worse, Gratia whō he quoteth, hath no authority of law. In that place there is mētion made, that the womā shal not accuse her husband for adultery to haue him put to death: which this wisard vnderstood not, but thought the to be forbiddē to sue their husbands for

7

8

^{32. q. 1. c.}
apud.

* Glossibid.

adultery. But the ¹ glosse telleth him, *that the contrary of that is law, and the practise of ecclesiasticall courtes is contrary, and so hath alwayes bene: and many at this day doe sue their husbands in causes of diuorce, for adultery.*

* 24 q. 2. c. vii.

The 2. Canon which he citeth, and affirmeth *to be contrary to Gods lawe, is that heretikes after their death should be excommunicate.* But first it doth not appeare that it is lawe with vs, for as I haue already told him, Gratian is no law. So that I cannot but wonder what blockish conceite came into this mans distempered braine, to talke of canon law, that knoweth not what is law. Besides it doth not appeare that this was practised before the statute of 25. H. 8. 19. lastly the same is not contrary to Gods word. for to the memory of wicked heretikes, such as *Arrius, Eutyches, Nestorius, Macedonius, Paulus of Samosata*, we say *Anathema*. And if the libeller say not so, he is a looser companion, then I tooke him for.

* 30. q. 3. c. pitatium.

The 3. Canon that he affirmeth to be contrary to Gods law, and not to ours, *is that spirituall kindred shal hinder mariage.* But both is the same direct contrary to our lawes, that only respect the degrees of consanguinity, & affinity, & such like as are mentioned in *Leuit.* & not to Gods law where they list to vse it, we allow no degrees of kindred to hinder mariage, but such as are noted in *Leuiticus*. Nor is it an offence against Gods lawe for some ciuil or domestical cause, other then degrees of kindred to forbid mariage for some time with some persons. And

* Ordonances de Geneue.

therefore they of ⁴ *Geneua*, *albeit they account the mariage of consanguine lawfull, yet thinke them not conuenient.* He alledgeth also certain canons, *that enioyne Clerks to fast 7 whole weekes before Easter, & forbid them to fast on thursday.* But that they were vsually obserued in England before that statute, he sheweth not. Neither doth he rightly quote the places. So that if these malecontent disciplinarians meane to speake hereafter against ecclesiasticall lawes: they must sende vs sooth some wiser man, then this libeller to speake in their cause. for hee is but a simple fellowe to dispute, and vnderstandeth iust nothing

thing in lawe, and very little in honeſtie. That in king *Henry*, and king *Edwardes* dayes order was taken, for the collection together of lawes in uſe, is granted: but that they meant to correct lawes in uſe, which this libeller doeth inſinuate, or did confeſſe, *that there be infinite corruptions in eccleſiaſtiſhall lawes, which he affirmeth*, cannot be proued. I will not longer ſtand vpon this point, for that I haue ſpoken of it already, and the ſame is beſide the libellers purpoſe; which ſhould proue that *Vdall* and his conſortes offend not againſt the ſtatute of *Eliz. 23.* aboue mentioned. But his reaſons are all too weake, for eyther ſtand they vpon falſe groundes, or elſe are they miſſhapen, and euil featured.

That which he ſaith of *Wickleffe*, *Suinderby*, *Tindall*, *Hooper*, *Barnes*, *Latimer*, and others whom he chargeth with ſpeaking againſt the ſtate of the Church, and common wealth, is vtterly vntrue. let the places be ſhewed, and their wordes ſet downe. For in theſe that already are brought forth, there is no ſuch matter contained: they doe not call our lawes anti-chriſtian, nor diſgrace the gouernement of the prince, nor condemne the ſuperioritie of biſhops: nor raile at the preachers of the Goſpel, and gouernors of Chriſtes church. they neuer framed libels nor inuectiues againſt the ſtate. nor euer ſought to haue a new found gouernement eſtabliſhed in the church. and albeit they inueigh againſt the manners of men, and corruptions of thoſe times; yet ſhall you not finde any, that hath written in *Martins* ſatyricall and doogeon ſtile: nor that ſought to haue either Church or ſtate turned vpside-downe, or committed to the direction of the common ſorte, compare them with theſe late rimers, libellers, and firebrands of ſedition: you ſhall ſee a wonderfull difference.

Further ſaith he, ſome finde fault with the forfeiture of traytors landes, ſome with the ſhort returne of writs, others with pluralities of ſermes, and engroſſing of Mannors, others with racking of rents, and diuers other lawes and cuſtomes. admit they did: yet is not the fact of one, an excuſe for the offence

sence of others. we liue by lawes, not by examples. But
cannot be shewed, that any euer so raged with malice against
lawes as the Martinists did, and doe. those percase spake a-
gainst some one or two lawes, and that modestly submitting
themselues to the controlement of their superiors: they rail-
led not against gouernors, nor lanced them with malicious
libels, nor sought innouation; but redresse of things disorde-
red. to all these examples therefore of *Wickleffe*, *Suinderby*,
Hooper, *Barnes*, *Latimer*, and those that haue found fault with
some abuses in lawes; I answere first, that it is one thing to de-
sire the reformation of some one abuse, and another to desire
the subuersion both of all ecclesiasticall gouernors, and lawes,
which cannot be without a dangerous innouation of state; &
secondly, that the course of the proceeding of those that haue
spoken against mens manners, and some one lawe, is farre dif-
ferent from these mens doings and writings, that strue for
the new kingdome of the Consistorie: lastly that *Wickleffe*,
Suinderby, *Tyndal*, *Barnes*, *Hooper*, *Latimer*, spake against the cor-
ruptions of papisticall Bishops, both in doctrine and man-
ners: yet neuer did they seeke for a new consistorial gouerne-
ment, nor did they libell against the gouernors, the lawes, the
state.

This is but the Consistorian stile lately founde out, and
practised by lewde lozels, and satyricall backbiters of good
men. for which, if no other punishment be laid on them, yet
they shall surely answere at the last dreadfull day, if they re-
pent and amend not.

Further it is a shamefull course, though greatly pleasing
these mens humors, to take that which good men spake a-
gainst pompous and tyrannicall Bishops that gouerned at
pleasure, and gaue ouer preaching altogether: and to apply
the same against Pishops, that neither so excell in wealth, but
that many base scriuanos, and marchants, yea shoemakers
and taylors surpasse the; nor in power, but that meane com-
panions abuse them; & are not popish tyrants, but preachers
of

of the gospel. If the libeller had had any modestie, he would not thus haue abused mens writings: nor if he had intended any other matter, then to make libels, would he haue drawne out certaine rimes out of *Pierce Plowman*, & *Chaucer*, men farre excelling him in all modestie and humanitie. for albeit they rimed against wicked bishops, yet doe they speake more ciuilly of them, then he doth of godly and learned men, whome with rime dogrell, and dogged railing, and many slaunderous reportes, and that in the presence of a prince, he goeth about maliciously to disgrace. Not that he would teach them any good: *For he sendeth them to the diuill to learne. Learne saith he of the deuill*: of which Maister, the libeller hath learned all his rayling, and shamefull slaunderings; and from him hath he borrowed all his malice. Therefore I say not as he saith, *learne of the deuill*; but learne not of him: he is a raylour, and slaunderour, and so are all libellers, and reuellers, the right disciples of Sathan.

That these bookes passe with this approbation, *Seene and allowed*, it followeth not, that all things therein contained are allowed: but that they are allowed to be printed, as hauing nothing in the opinion of him that allowed them cōtrarie to state. and rather, because we should reape some profite by that which is good; then loose the good for the bad: or allow that is euil because it is ioyned with that which is good.

Neither are the consistoriall libellers punished, for speaking against ciuill offices in bishops, or faultes in them, albeit it be an vnciuill parte to disgrace honest men in rimes and rayling discourses, and sermons, and to reprehend with such vehemencie that, which they cannot disprove: but because they bring in many pernicious doctrines, and ouerturne all gouernement, and deface the princes regiment, and bring in infinite lewd nouelties, and that by rayling, reuelling, & faction. And therefore, if any suffer any punishment, it is not for seeking reformation, but for deforming and diffaming, the frame of this Church gouernment, and common wealth, and

and that in shamefull sort, Neither doeth this libeller desire anything more, then that learned men should bee set aside, that such forrie hines as himselfe might enter in place: A man fitter to be scourged in Bedlem, then placed in Church gouernement.

Neither is there any shelter for the libellers cause, vnder the names of my Lord of Canterburie, Maister Nowel, Maister Rainold, &c. M. Bancroft: their opinions & manners being so contrary, there was M. Bancroft from calling her Maieste a pope, *Heresprehensible alarum, for her rash assertion, implying that she is a pope.* All these men defende the other oppugne the state: the one by good meanes seeke disorders to be reformed, the other by all inuiros and vnlawfull meanes, yea at length by conspiracie, sought to ouerturne the state. And therefore, as the one doeth worth praise, so the libellers clyens deserue punishment. And nought it is that hee can say for them, their fault is so foule, and his wit so simple.

They doe I say, deserue punishment: first, for diffaming her Maieste, and next, for plotting and working of rebellion. Aribut is gathered by their doctrine, which doeth clearly shewe their meaning. for how should a man gather a mans meaning, but by his wordes? Listen then first, what good man saith a part of this seditious congregation. *All men* (saith he) *Comissellors, noblemen, inferior Magistrates, and people are bound, and shal be to see the lawes of God kept, and to suppress, and resist idolatrie by force.* Againe: *If the Magistrates shal refuse to put missemongers, and false preachers to death, the people in case they be performed, doe sweare that we are of God which was in Phinees, destroying the adulterous, and in the Israelites against the Beniamites.* Further (3 saith he) *to teach that it is not lawfull in any case to resist the superior powers, but rather to submit our selues to punishment, a dangerous doctrine, taught by some by Gods permission, for the punishment of our sinnes.* He affirmeth also, *that it is not sufficient for subiects not to obey without commandments of their princes, but that they must wish stand themselves in doing the contrarie, euen*

a p.73.74.77.

b p.196.

c p.4.

d p.63.43.59.

72.

man in his vocation and office: And ¹ that it is the office of Counsellors to bridle the affections of Princes and governors. And ² that it is lawfull to kill wicked kings and tyrants. with him did he consent that made the booke of Obedience in Queene Maries time. Queene Marie saith he ³ ought to be put to death, as being a tyrant, a monster, a cruel beast. And if (saith he) neither the inferior Magistrate, nor the greatest part of the people will doe their office (viz. in punishing, deposing, or killing of Princes) then the Minister must excommunicate such a king. And againe: By the worde of God in such a defection (or rebellion) a priuate man hauing some speciall inward motion, may kill a tyrant. Whittingham that made a preface to Goodmans booke, affirmeth; That this doctrine was commended by the most learned in those partes: which were Caluine, Beza, and certeine English men, The same doctrine, or disobedience rather against princes was taught by ⁴ Buchanan. ⁵ Knoxe saith, that the nobilitie and comminaltie ought to reforme religion, and in that case may remoue from honors, and punish. Vnto these accorded Hottoman in his Francogallia, and Beza de iure Magistratuum in subditos, vindicia contra tyrannos, Vrsinus, and the rest of the great patrons of the Consistoriall discipline.

¹ P. 3. & 35.

² Goodm.p.

99.

³ P. 99. & 113.

& goodm.p.

180. & 184.

& 185.

⁴ obed.p. 110.

⁵ De iure regni.

⁶ Knox. ap. pell.p. 28. & 30.

Secondly, the proceedings of the Consistorials, both in Scotland and England declare the same. In Scotland the roades first of Ruthuen, then of Sterling, where forcing the king, for safegarde of his honor and life, to rake himselfe to the Castle; they deposed Bishops, and erected Consistories. In England they sent about their factors into euery shire to procure subscriptions to their newfangled discipline, they set vp Consistories and Synodes, and watched the time of the Spanish inuasion, to beginne their faites; and but that they sawe themselues too weake, would haue by force (as many reasons make vs suspect) executed their purpose. yea notwithstanding their weakenes, Hacket, Coppinger, and Wigington, with whome Th. Cartwright did communicate by diuers letters, went about to raise a tumult, and to set vp their

discipline, which they called their newe kingdome. for which their new king was hanged, drawen, and quartered, and *Coppinger* according to the puitan stile, made away himselfe.

3 Thirdly, these men haue many markes of faction in their doings; their nightly meetings, secreete whisperings, open inuectiues against lawes, and gouernours, glorious pretenses of reformation, mutuall intelligence, newe names, secreete confederacies, subscriptions, and such like, doe marke them out for mutinous, and rebellious companions.

4 Fourthly, the precedents of the Anabaptists, doe teach vs what an vnbrideled thing the people is, where they take the sword to worke reformation with: And that if the Anabaptists which condemne warres, went about by force to establish their heresies, that much more these factious mates, compounded of diuers sortes of heretikes and schismatikes, & rebellious persons, putting such glory in armes, would assuredly haue made a great stirre, if they had not bene repressed.

5 Fifthly, their threatning wordes, which God would not suffer them to conceale, did bewray their wicked purposes. *Martin threatneth force against those that maintaine the state. The author of the demonstration denounceth great troubles towarde, if they may not haue their will; and sayeth, That the discipline shall come in by a way, that shall make all our heartes to ake.* And another of *Martins*¹ whelpes, braggeth of a hundred thousand handes, and threatneth that they will strike a great stroke in the setting vp of discipline. And therefore, seeing both by their doctrine, and wordes, and deedes they doe declare themselves, and their meaning; In vaine doeth this lunatike scribe babble, *that they intend no rebellion.* What should I beleue wordes, when wee may see deedes to the contrarie? yea, factes openly maintained in writing.

6 Adde hereunto the drift of *T. Cartwrights*, *Penries*, *Martins* bookes, to moue a dislike in mens mindes of the present gouernement

¹ Mart. ser.

uernement, and nothing will appeare more notorious then the bad meaning of these mutinous libellers.

But saith the libeller, *Whereas the aduersaries doe take as a principle: that whosoever writeth to worke a discontentment in the mindes of the subjects doe intend rebellion, that is a most vnttrue assertion, and sophisticall paralogisme.* so little doeth hee vnderstand, either what is vntueth, or what is a paralogisme. for the trueth of the assertion, I haue already clearly demonstrated: and well doeth it appeare, that hee vnderstood not his Logike termes, that maketh one proposition a paralogisme. for a paralogisme is a sophisticall syllogisme, consisting of diuers propositions. but this assertion is neither syllogisme, nor sophisticall assertion, conteining a very plaine trueth, which nowe themselves haue iustified by their actions, and alwayes politikes haue taken it as an vndoubted trueth. for no man writeth to moue mens mindes to discontentment with the present gouernement, but hatcheth in his owne minde the seedes of rebellion. First, the papistes wrote diuers seditious pamphlets against religion, and the state: afterwarde, they put on armes and rebelled. So first came forth *Martin* and diuers pamphlets of like argument, afterwarde rose vp king *Hacker* the great emperour of the disciplinarian faction, and his prophets. the onely fault was, that their patriarkes were not readie to followe them, or could not followe them, for the multitude of boyes that gaped and gazed vpon them.

Arist. elench.
1.

Secondly, he saith: *they write in an humble, loyall, and dutifull sort.* Of which let *Cartwrightes*, *Martins*, & *Penries* bookes beare witnes for pride and spite, and disloyaltie, I neuer read bookes that matched them.

Thirdlie, *Hee would defend his clients with the example of Christ, that discovered many abuses, and Peter that stroke off Malchus his eare a seruant, or pursiuant (as hee saith) of the high priestes.* Percase hee would haue his companions to cut off the pursuants and the *Queenes* messengers eares, yea

and head too, if they could. So little can he cōtaine himselfe, that in the defence of force and rebellion, hee doeth nothing but breathe force and rebellion; And is still talking of killing and cutting. But the case is vnlike. for Christ neuer spake against the lawes; these say that we haue an antichristian gouernement. Christ condemneth not the office of priestes: these condemne the office of Bishops, and the ecclesiasticall state. Christ sought not to erect any new Consistorie, or gouernement in dispite of gouernours; these doe nothing else. *Peter* strake off *Malchus* eare, which Christ healed: these would cut mens throates for to haue their consistorie, and so leaue them. In fine, these neither are like Christ, nor *Peter*, nor good Christians: but raile, reuell, conspire, and raise mutinies. They doe not speake to the gouernours, where they may haue redresse of disorders: but mutter in the eares of the people, as if they meant to renew a new massacre, or make the Sicilian euensong, which was euidently declared by that blasphemous wretch *Hacket*. Neither may it excuse them, (which the libeller alledgeth.) *That the burgeses of Parliament are thither sent by all the people, which cannot vnderstand what to desire, vnlesse they be taught before.* For if they meant onely to obtaine it by parliament, and not by force and faction of the people, it had bene sufficiēt to teach her Maiestie, or the parliament: or any one burgesse. for so lawes are framed. And as those that speake against the lawes, and ciuil gouernment in euery place before the people, cannot auoide the name of rebels, albeit the same be afterwarde motioned in parliamēt: no more can these excuse theselues of disloyaltie in all places declaiming against the present regiment. albeit they woulde haue the same altered by parliament.

Further, hee saith, *that if they pretended rebellion, then they would rise up and reforme things themselues, rather then write booke to that purpose.* As if it were not madnesse to rise before they had prepared the peoples mindes to rebellion. Nay first
a side

* Vespres Siciliennes.
Mach. Histor.
Florent. lib. 1.

a fide must be made, and then matters must bee executed. So that it appeareth that his complices did take the direct way to rebellion, and that this course could not bee taken before that men were moued to discontentment by villenous bookes, like those of *Martin*, and his whelpes.

Fistly, he commendeth his clyents for teaching true obedience, and that with greater Zeale and sinceritie then the bishops. But the vanitie of this obiection appeareth, by the generall doctrine of their chiefe patriarkes. for killing of princes, rayfing of force, and rebellion, is simple proofof true obedience. And albeit these latter doe not so directly teach it, yet *Fenner* whome ¹T. C. doth highly magnifie, doth allow inferior Magistrates to bridle, and depose princes, and giueth authoritie to the people to reforme religion. from which opinions not only all bishops, but all good subiects are very faire.

¹ He calleth his doctrine *aliquantulum* calu. his Canaan.

Sixtly, hee ²denieth, that euer his consortes eyther by writing, words or acts, went about to make any stirres for the bringing in of their new discipline. This man wil percase denie that the sunne giueth light at noone day, if it make for the cause of the consistory: for the sunne is not more cleare, then the leud practises of these sectaries. Their doctrine doth wholly tende vnto trouble and rebellion. ³*Beza* in his booke of the power of magistrates, doth arme the subiects against the princes in these causes. The author of the booke which is intituled *Vindicia contra tyrannos*, whom many affirme to bee *Beza* or *Hotoman*, doth giue power to the subiectes, not onely to resist, but also to depose, and kill the prince if he oppugne Gods lawes and religion: whereof they make their discipline a glorious part: That this was the opinion of them of *Geneua*, is apparant by the wordes of ⁴*Knox*: who not onely allowed the doctrine, but put it in fragrant practise in Scotland. Neyther may we thinke that our platformers haue dis-sented from their masters. *Fenner* in his booke of diuinitie, which *Th. Cartw.* so well liketh, that hee calleth the doctrine of it, the undubstable rules of heauenly Canaan, ⁵saith that in euery com-mon wealth there ought to be by the law of God certaine Ephori or

⁶ a Pag. q. 43.

² De iure magistratuum in subditos.

³ In an Epistle sent from *Diep. hist.* scotl.

⁴ Theolog. Fen p. 186.

* Epitome of
Martin.

* Wight.

magistrates which ought to haue, as in Sparta they had, authoritie not onely to ouerrule, but also to depose the prince. According to their doctrine, they haue proceeded in writing, speaking, doing. Martin most shamefully rayleth at the present gouernement, and wisheth that the parliament would bring in the eldership, notwithstanding her Maiesties resisting it; viz. by a rebellion. They made diuerse meetings: they inueyghed against the state in their publike and priuate speeches; in the ende, they procured throughout the Realme certayne subscriptions: themselves bragged of a hundred thousande handes: In playne tearmes, they talked of: massacring of their aduersaries. And Snape in one of his letters sayeth, what will you say, if wee ouethrowe the Bishops, and that gouernement in one day? Their further malice appeareth in the Epistle before their leude demonstrations of discipline, when all things were readie, out startes Hackets two prophetes to mooue the people to rebellion, that what they coule not haue by intreatie, they might winne by treason and rebellion. That they intended the deliuerie of certaine factions persons committed to prison, and to erect the presbyteries, and to suppress the gouernours and lawes, their letters, examinations, and writings doe declare. And yet forsooth this ignorant fellowe holdeth, that they neuer went about to mooue any stirre, or rebellion: percase hee thought these matters had not bene knowne.

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Seuenthly he obiecteth further, that if his clientes intende rebellion, then the lawes also, and bishops doe intende rebellion: for that they expect likewise further reformation. But the case is vnlike: Good men desire reformation of manners by execution of good lawes, and supplie of imperfections: They stand for the state, they withstand all innouations, they proceede orderly. These fellowes contrariwise seeke the ouerthrowe of infinite lawes, of infinite officers: and that by reuelling and disorder: they seeke the establishment of an vncouth and vknownen gouernement by faction and conspiracie, odious

odious to all states, and good men. Neyther can hee shroud his clyents vnder master *Newells* authoritie for they want much of his learning and honestie, and farre diuerse is that elderthip, hee meaneth, from this packe of elders, that they desire.

Neither because printers sell popish bookes, by which some are mooued to discontentment, doth it follow that therefore it is lawful to mooue discontentment. for neyther may they sell them but to men knowen and licenced without punishment: nor are all popish bookes of one sort. As for Doctor *Perry* I thinke he doth not set forth newe lawes, nor newe common wealthes, but for ease and introduction of students doth gather a summe of all lawes in force, but the libellers furious mates would burne them and vtterly ouerthrow law, that we might depend vpon the variable oracles of the presbyterie, which he seeketh to erect.

Eightly hee addeth, *that many doe maintaine papistes and traitors, and yet doe not mooue discontentment*, vnto which I am content that hee maketh his clyentes like. for I doe not knowe any in England that hath procured the discharge of more recusants (and that not gratis) or more holpen them, then certaine capitall and principall puritanes. The libeller knoweth whome I meane. The exception is friuolous and false for neyther are they to bee allowed that main-
 rayne papistes, nor puritanes: or that procure their discharge. Nor may we thinke, but that they that maintaine them, meane no good to the state: and therefore let the gentle dunse aduise hereafter what hee sayeth, and not disgrace his best friendes, nor lye to no purpose, nor benefite of his cause. And finally let him not say, *our argumentes are nought*, vnlesse hee reply better, hitherto hee hath sweate and sayde nothing; yea and when hee hath sweate out all his wit, yet can he not answer any one title of our reasons. The reason that hee setteth downe is his owne reason, and is senceles in deed, and proceedeth from a man voyd

of wisdom, learning and honestie; But the same set downe in good tearmes will make him in deede ashamed, but not as he saith to answer it, but because hee cannot answer it. No, *though he professe to speake for the innocent.* He should haue sayd, *in the cause of the dumbe,* for so are the wordes of T.C. his masters text. But his clyentes they haue spoken too much, and wish themselues, they had bene dumbe. Now albeit they be not mute, yet he taketh them to be innocent, and that in his opinion. Is not this a worthy fellow thinke you, that opposeth his fond and loose opinion against the euidence of witnesses, verdict of the iurie, sentence of the iudge? But what shoulde we looke for other at these mens handes, whose braue confistorie, and all their learning standeth on 3 or 4 mens opinions? But let vs heare what he bringeth to answer our objections, and for discharge of his clyentes that stand at the barre.

He sayth, *that Martin where he threatneth, that Doctor Bridges shall haue xx sifes about his eares, meaneth that many shall write against him:* A goodly comment: As if puritanes wrote with sifs, rather then fingers: which may very well bee; for their writing is seditious, rude and vnciuill. To prooue that *Martin* meaneth so, he alledgeth first, *that Martin is no Atheist nor papist.* But there is great doubt of papisme, and flat prooffe of atheisme. for who scoffeth at religion but Atheists, and peruerteth scriptures in scorne, but such as belecue no God? Secondly he saith, *xx is too few to make a rebellion.* But the patch might vnderstand that one is inough to begin a mutinie: And that if D. Bridges shall haue xx sifes against him, their meaning is, *that others shall haue many more about them.* for I thinke their quarrell is not onely against D. Bridges. In the ende the libeller seeing his cause desperate, saith *that hanging is too good for Martin.* which I yeelde vnto, and assigne the libeller for his paynes, to be the executioner. And thus the noble *Martin*, viz. I. Perry, I. Vd. I. F. all Iohns, and I. Thr. that all concurred in making of *Martin*, must by sentence of the libeller,

if they had any cuill purpose, goe to the gybet to feede Ravens.

That which is sayde of a hundred thousande handes, hee answereth, that it is meant of a subscription to a supplication: which if it were graunted, yet woulde the same bee very strange, if not rebellious. for what is such a supplication, but a coniuration, or at least ¹ armed prayers? But saith hee, *Martin doeth not there exhort to rebellion*, neyther doe wee charge him with it: but wee say, that hee speaketh seditiously, and that he insinuateth that puritans, if they should not haue their supplication graunted, would either haue gone away discontent, or taken part with the enemye, and that the packe of puritans entend rebellion. for that appeareth, First by confession of *Martin*, that *insinuateth they had many ready to maintayne that cause*, and next by those *wagrant rogues that came downe into all shires with billes crauing subscription*, which is nothing but the beginning of a coniuration. for neuer did so many ioyne but in rebellion; nor can such a number confederate themselues without danger to the state. And if the Prince were not exceeding clement, she would teache them the payne of subscriptions, and confederation for to obteyne alteration of State: especially when *Martin* threatneth, *that so many would strike a great stroke*; which is very true. for so many, and lesse too, being well armed and gouerned, are able to fight with any prince in the worlde. Neyerther will it serue, that hee sayeth, *that the speech is Tropologicall*: for it is rather Diabolicall, and traitterous.

The wordes of ² *Iunius Brutus*, that for the elder, *lip sayth it is lawfull to mooue stirres*, are disclaymed by the Libeller: but little knoweth he who is the authour of that booke. for it was made eyther by *Beza*, or *Hotoman*, and conteyneth nothing, but consistoriall doctrine. Neyerther doe I thinke, that he will disclayme T. C. that meaneth to fight so stoutly, that if *every hayre of his head were a life*, hee woulde afforde them all

¹ Armed
prayers.

² Vindicke
con. tyrannos.

in defence of his platforme: Nor of Goodman; Gilby, Whittingham, and the Geneuians, without whome this cause cannot stand. Therefore if the Libeller renounce rebellion, and the doctrine of it, he must also renounce the nource of rebellion, the Consistorie, and all his deare darlings, vpon whose bare names, as it were vpon emptie barrells, hee buyldeth his consistoriall barricades and bulwarkes.

Where they threaten troubles, if they may not haue the discipline, the Libeller answereth, that thereby they meane scholasticall troubles, while both partes write concerning discipline: but that cannot be the meaning of the author. for he meant troubles that would ensue, and not which already were. But the contention about discipline in writing before that time was at the hottest. Neither is there any other sence to bee drawn out of the wordes, but that great, and bloody stirres would be about discipline, if the same might not otherwise be obtained. finally, it is the common proceeding of the consistorie, that without wracke and force did neuer enter, either at Geneva, or in France, or Scotland. Whereunto Th.C. in the conuenticle or synode in *Warwickeshire*, as is supposed, layde a good foundation. for there the discipline was set downe: there subscription and promise was made, that all ministers should aduance it by all their power. No doubt they meant as well force, as fayre meanes: for therein they haue neuer bene scrupulous.

Hee answereth also in defence of the *Scottish* ministers: but he sayth nothing of the Roade of *Ruthuen* and *Sterlinge*, and concealeth most dangerous matters, wandring from the purpose in a generalitie of wordes. Hee did not remember that ¹ *Galloway* at *Saint Iohnston* cursed both the men that should take part with the King, and their horses and speares: and how *James Gibson* vsed the King very homely: and how *Iohn Cooper* refused to obey the King. And howe *Andrew Meluyn* vsed very tart speeches towarde him: and yet obstinately refused to acknowledge him selfe bounde to answer his contempt,

¹ A noble precedent of consistoriall excommunication.

tempt. these matters the petitioner eyther vnderstoode nor, or would not call to remembrance. hee also seemeth to bee ignorant, how vpon such like insolent behauiour, the King tendring certaine articles to the *Scottish* Preachers: as first, *that they should yeelde their obedience to the King*: secondly, *that they should not pretende Priuiledge*: thirdly, *that they should not meddle in matters of State*: fourthly, *that they should not publike-ly reuile his Maiestie*: that they neuer yeilded to subscribe. A notorious argument of singuler insolencie in them, if it bee as is reported, and simplicite in the petitioner, that going about to cleare his cause, giueth occasion of further matter against it.

Where wee alleadge, that *Brutus Iunius*, a Consistoriall writer, or to speake more playnely, *Hotoman*, or *Beza* sayth *that the people of themselves may set vp Gods seruice, and abrogate superstition, and that it is lawfull for the people by force of armes to resist the Prince*, if he hinder the buylding of the Church: (which these men take specially to consist in the eldership) And where also wee set downe many trayterous speeches out of *Goodman*, *Gilby*, *Martin*, *T.C.* and others, the Libeller answereth: first, *that these authors wrote against tyrants, and enemies of religion*, as if the pretence of religion were sufficient to arme the subiects to depose the prince. wherein is declared, that these men accompting those that stop the eldership enemies of religiō, hold that such princes as hinder the eldership may be deposed also: which is an answer euill becomming a man professing allegiance to her Maiestie, and pretending to bee of the best sort of subiects.

Secondly, hee saith *that the same speeches are alledged by the Papistes to condemne our doctrine*: but that answer maketh much against the Puritans and not vs: for wee condemne both that practise and that doctrine, and those that haue giuen such a scandale to the Church. They embrace it, and therefore are condemned as perturbbers of the State. And albeit nowe they alter their hint, and teache

obedience changing faith with time, yet that was their opinion once, and I doubt not will bee, as oft as time serueth.

Thirdly hee answereth, *that the doctrine of the consistorie dependeth not on two, or three*: which we doe not affirme in this cause: for we say that these opinions are generally imbraced of that faction, and of the chiefeest of them, and that the same is so ioyned with the consistory, that without the same it can not be mainteined. for if the prince bee chiefe governour of the church, the consistorie hath no place: and if the consistory haue place, away goeth the princes authoritie in ecclesiasticall causes.

Lastly he giueth out, *that our English bishops, as well as the consistoriall faction haue rebelled against princes*. which answer first is not concludent: for the offence of one, is no protection for others: secondly, it is false. The petitioner ought to haue shewed who these rebels be: and where their rebellion is defended by bishops, such as now we haue. If he cannot shew them, wee must tell him, *that where hee talketh of five hundred traytors, that maintaine the present ecclesiasticall gouernement*, hee is out of reason, and account, and doeth nothing but rayle, as well be seemeth his libelling humour. The state and iurisdiction of bishops nowe in *England* dependeth externally on the Prince: to him they are subiect, and from him they receiue lawe: finally, they thinke it vnlawfull to rebell against him: condemning all rebellious practises, to pull downe his authoritie, and to bring them vnder. but the proud and insolent Consistory claymeth power aboue princes, and rendreth in Ecclesiasticall matters account to none but God, as they professe, the same acknowledgeth it selfe subiect to none, and prescribeth lawes to Princes, yea, teacheth and putteth in practise rebellion against them: and therefore when there is speach of loyaltie and obedience, let the Libeller henceforth take heede, how he compareth the most
facti-

factions, and suspicious government to Princes that ever was, to our ecclesiasticall governours, which in their doctrine, and life cannot bee noted of any disloyaltie. And finally let him holde his peace, and thanke God for the princes clemencie. For it is not the innocencie of his Clients, nor the eloquence of the aduocate, that can cleare the disciplinarians from faction. In such bad causes, repentance, and submission is best defence, the next is silence. And therefore wisely did he passe ouer that offence for which *Iohn Vdall* was conuicted, and condemned. Onely this fault hee committeth herein, that forgetting howe before hee had promised to answere for him, now hee leaues him to answere for himselfe, and like a man that had lost both memorie and wit, runneth out into an idle discourse of othes *Ex Officio*, and an inuective against Iudges, and furiously rayling at the State, calleth such as speake in defence of it, Traitors, and Rebels.

To terrifie the Iudges, hee cyteth certaine Textes of Scriptures ill fitting his purpose. For neither as hee sayeth, are his *confortes Saintes*, nor doe they suffer for holinesse, nor are they put to death, howsoeuer they deserue it. That sentence of *Iames* rather belongeth to them: *If any man deemeth himselfe to be religious, and refaineth not his tongue, but seduceth his hart, his religion is in vayne: or that rather, Woe bee to you Scribes and Pharises, ye hypocrites, yee are like to whited sepulchres, faire without, and within full of bones of dead men, and all filthinesse.* And albeit *Iohn Vdall* had the name vnwothy to be a Preacher: yet neuer any worse deserued it, being euery way vn sufficient; nor tooke a more factious course.

This fellowe braggeth hee was no murderer: yet if hee had proceeded further, I knowe what woulde haue followed. So arrogant hee is, that hee imagineth all fooles, but such as like his fancies. But if the 3 Iudges haue so litle skill in condemning such a Minister as *Iohn Vdall*: why doth not this great Clarke shewe it? this is impudencie to con-

denine such reuerend learned men of ignorance, and to shewe no reason. Besides this, in lawe there ought to be no respect of persons. Howe then can there bee such difference betwixt ministers and others, if ministers offend as well as others? Either this man meaneth to challenge immunitie, or els hee meaneth, if euer he bee a Iudge, to respect persons. Some haue painted *Iustice* blinde, but this man woulde haue them Iudge with spectacles.

His accusation against such, as *speake* in defence of the state will neuer be prooued. he racketh and teareth their sayings, as a man lying without conscience and shame, yet will they not reach to his purpose. Concerning master *Dalton*, whom he accuseth as the *Bishops* factor, it is an easie matter to answer. hee hath more honestie, learning, and lawe, then is to be found in all the Puritanes distempered braynes. The cause he defended was not the *Bishops*, but of religion, learning, and the Church.

* Admon. a g.
M.M.p. 151.

Hee chargeth the *Bishops*, that they write in a certaine booke, that it is not lawfull to bestowe such liuings upon laye men, as are appoynted by lawe to preachers of the word. But neither doe the *Bishops* say it, nor is that booke that is quoted the *Bishops*, nor is it likely that so graue men had so litle to doe, as to busie themselues with the answering of such a vaine Libell as *Martin* and *Martins* barking sonnes. But whose soeuer the saying is, it is iustifiable. for if the liuings bee appoynted by lawe to preachers, what law is it to infringe lawe that the Queene doeth keepe the temporalities of *Bishops* in her hands during the vacation; is by law, not against law. So likewise it is lawfull to holde some Ecclesiasticall liuings that be appropriated.

As for *Wicless* words against the excesse of his times, they are euill extended against the want of ours, and are voyde of reason: for what reason is it, that for the defaults of one, a succession should be spoiled, as he would haue it?

But sayth hee, who would not thinke the superfluities of *Bishops*

shops lining better bestowed vpon such a man as Sir Francis Walsingham, that right honourable Chancellour, and benefactor of the Church and Countrey, then vpon any Bishop. Wherein hee doeth wrong to the memory of that good knight, and in needelesse discourse bringeth his name in question. To his supposall I answere, that there be very wise men, that thinke the liuings of Bishops better as they are, and I thinke hee would so say, if hee were aliue, and were asked the question. for no man was more desirous then hee, of true honor: neyther is any thing more dishonourable, then to rise by the spoyles of the Church, that hee pretendeth to loue: nor to take that to him selfe, which was giuen to other vses. Neyther doe wee reade of any, that hath risen by the spoyles of the Church, that hath long prospered, or enioyed them: nor haue the Papistes any thing to obiekt against vs more, then sacriledge and spoyle of the Church. As for the superfluities of Bishops, there is order taken. Take foure of the best bishops in England, and there will bee found eight knights, euery one whereof shall farre ouermatch them in reuenues. Take eight bishops next in liuing to the greatest, and there will bee found two hundreth esquires; euery of which shall ouerpasse them. diuers yeomen, clownes, and marchantes doe farre excell the rest. Why then should any enuie to men of learning and qualitie, the estate and liuing of knights, esquires, yeomen and clownes?

It will bee sayde, these haue it by inheritance; but why should it not, as well be lawfull to haue it, and winne it by industrie, as by inheritance? But I am glad I know why all this while the petitioner barketh so loude. Hee woulde haue great men fall to spoyling, that hee might light vpon some reuersion, or like a dogge gather vp crummes vnder the table, when men shall ryot with Churches rapines. well, for his good will, when churches come to be spoyled, let him out of the belfray take a rope for his paynes.

Hee belyeth Doctor Bridges shamefully: for hee maketh
him

him to say, that a Priest may haue a moderate lordly iurisdiction ouer all the Lordes allotment: where in trueth hee doeth not so much as mention Lordly iurisdiction, but superioritie: and that ouer the Cleargie in seuerall Congregations, and not in the whole Church. Therefore let him make prooue how this superioritie, or maintayning of Churchliuings in their proper state can bee drawn to prooue, that such as defende the state, diffame the Queene, or seecke to mooue insurrection: If not, let him remember that both hee forgeth, and runneth from his purpose, like a babbling discourser wandering in a sea of wordes without compasse of stile, or discretion,

Likewise hee fableth that *Doctor Bancroft* writeth, that her Maiestie is a petie Pope, which is a gracelesse or shamelesse assertion, or both: for who would not bee ashamed, but these swelling mindes, that thinke they may speake what they list, to ascribe that to *Master Bancroft*, that hee reprehendeth in *Martin*? His wordes are playne, his minor (¹ saith he, meaning *Martin*) viz. that her Maiestie is a pety Pope, may thus bee prooued.

If the Libeller holde on this course of lying, hee will prooue many strange and wonderous matters, especially among the Disciplinarians, whose consistories is built on lyes. But, if they diffame her Maiestie, that holde her to be a pety Pope, as the Libeller by many great wordes, and vnecessary proofes in a matter confessed auoweth: then is *Martin* and his partakers felonious diffamers of her Maiestie: for hee holdeth, that *whosoever taketh on him the authoritie in causes ecclesiasticall, which the Pope had, is a petie Pope, as before is sayde*. But that authority the whole parliament giueth to her Maiestie. May it therefore please the Libeller to barke against the Parliament, or els against *Martin*. Against *Master Bancroft*, that neyther thought it, nor wrote it, nor spake it, but reprehendeth it in the person of *Martin*, there is no cause for him to declayme.

all this Libelling notwithstanding ~~the petitioners~~ *callesh* his conforters our brethren, but if his brotherhood consist in such scurrilous rayling, let him seeke other brethren. The brotherhood and fellowship of Christians is knowne by loue: The badge of puritanisme is vnnaturall, and vnkinde, and vnbrotherly dealing. And therefore I doubt whether they be brethren or no, both considering their hereticall opinions, and also their vncharitable and vnchristian rayling. And yet I say notwithstanding all this vnnaturall dealing, that the bishops so much as they might, yea too too much haue dealt remissely against such contumacious, and worthlesse disturbers of the Church. And that not for any thing which appeareth in this accusers writings, wherein they see nothing but velliacy, and presumption, and vanitie; but in respect of their owne milde natures, Christian affection, and desire of peace: which these fellowes scorned,

In the ende hee concludeth, *that considering the doubtfulnesse of these controuersies, hee trusteth her Maiestie will take some good order for the peaceable debating of them.* hauing I say reuelde at full both against ecclesiasticall, and ciuill iurisdiction, and that before so mightie a prince, whose presence he ought more to haue reuerenced: hauing also at such time as hee was to speake to her Maiestie talked against all decorum with by standers, yea with those that were absent, nowe as it were before his death, he commeth home to himselfe, and prayeth her Maiestie to take some good course for the peaceable ordering of these controuersies, as if all her former lawes, all her care, all her proceedings were not to bee valued in one haire: And as if rayling and accusing deserved fauour, or his dispute credite, or his insolencie, pardon. I doubt not but her Maiestie of her wisdom leeth the impudencie of the man, the weakenesse of the cause, the wrong done to others, but especially to her selfe, her gouernement, and her lawes that others may see it; I haue lightly framed this answer, lest the foole should enter into conceipt of his wit,

and others be abused by his malice: not in many words, for what should I stand about that, wherein is nothing but pride, ignorance and choller? Now because, *by alledging their opinions, he would make the world beleue, that his clients are slandered:* I wil shew, that he smootheneth some things that are hard, and concealeth many things that are worse, and therefore, that he and his clients are to be taken as they are. The words I haue set downe, and by them my answer. reade with iudgement, iudge with equity, shewe equity to truth.

and such like
things.

Observations upon certaine opinions commonly holden by the puritanes and collected by the said author of the petition: with answers to their petitions, and desires ioyned with the foresaid opinions.

The words of the petitioner.

Petitioner.

TO the end it may appeare how *unjustly* the seekers of reformation are slandered by the bishops, and others: I haue thought good briefly & truly to deliuer the opinions of such as sue for reformation, which I haue gathered out of their bookes, and seene in their practise, and heard in conference which I had with them.

Answer.

Neither hath the man deliuered his consorts opinions truly, nor was it sufficient, if hee had meant to cleare them from slander, to deliuer some part of their opinions, vnlesse he had also deliuered their whole doctrine concerning their consistoriall discipline, for what excuse may it bee for an heretike, to beleue well in some poyntes: or for leude men to doe something well? But this generall doctrine of theirs, neyther doth he, nor durst hee deliuer: it was somewhat too hoat and sawcie. The soueraigntie of the aldermen in making lawes, iudging and excommunicating princes, dissolving the lawes of the land, taking away her Maiesties prerogative in pardoning offences, and depriving her of the argument she hath to shewe her clemencie in, in diminishing her reuennes, hee concealeth: Neither doth hee reueale vnto vs those mysticall rules, whereby the consistoriall faction doth

ouerthrowe the parliament, the apologie and fayth of this Church, the Vniuersities, and many priuate mens interest: Likewise hath he passed ouer in goodly glosing wordes, and not once mentioned other dangerous poynts. That therefore which hee wanteth, to the intent (that wee may haue a perfect draught of the alestond of this newe brewed discipline,) I purpose to set down, and to declare vnto you, both their doctrine, and their practise. So that you may perceiue that they are vainely tearmed seekers, and sewers for reformation: And that the cause wee defende, is not the cause of bishops, whom we leaue to defend their doings themselves; but the cause of God, of religion, of our countrey, of the prince, of learning, of the whole ministerie, against factious mates, and heretical schismatikes, and enemies of the ministry, & learning, that in these dangerous times, go about to make an uproare in their countrey, and a spoyle of the rewards of learning. If then that which is best in al these mens deuises be nought worth: how litle is the rest thereof to bee valued? sure if that which themselves confesse, bee not sufferable, the rest must needs be vtollerable, which if the petitioner know not, he is but a nouice in his owne cause, and knoweth litle, or nothing: if he knew, he is very impudent, that dare defend such maner of persons.

They openly professe and acknowledge that they bee sinnefull Petitioner.
men.

A great matter: for albeit they shoulde neyther professe nor confesse so much, yet woulde the same appeare but too too euidently. In doctrine, their leud & heretical opinions: In maners, their pride, malice, crueltie, couetousnesse, vsury, gluttonie, and chamber cheare, which they call fasting, and colour with tearmes of godly exercises, doe notoriouly conuince them, neither do I yet tell all for other matters I haue thought good to keepe for an ariere bāquet: for that I would not haue the libeller surfet: which he would percase doe, if too much were set before him at once.

Petitioner.

*They call not themselves puritanes.*Answer.
1 Pag. 83.

Vntruth. for both *Martin*, & this petitioner calleth his 'con-
sorts puritanes: yea, and others more honest men, the 1st eyther
of the two (which wee are rather to beleue then the petition-
er) call them so, and that rightly: for commonly they appro-
priate vnto themselves, the name of the *saints*, of *godly brethren*,
and such like, and account and call others that be not of their
faction *'prophane*. They esteeme also the *eldership*, a pure go-
uernment, and other corrupt, and *T. Cartw.* calleth his cause,
the cause of sincerity. why then are they not iustly called *pur-
itanes*? percase they wil answere, that they are impure, & filthie
fellowes, which in deed is true. for their puritie neither consi-
steth in life, nor doctrine, (for none therein can be lesse pure:
vnlesse it be in bare conceit) but in outward shewes, false sem-
blant, vaine protestations of reformation, gogling of eyes and
painted hypocrisie. this excuse therefore, *that they doe not call
themselves puritanes*, were it true, yet is it visufficient, seeing
they take vpon themselves to be more pure then others, as did
the puritanes of old time. for we may not thinke that the *Ca-
thari*, or *Nogatians* accounted themselves without sinne: but
were called *puritanes*, for seuering themselves from others,
which they accounted lesse pure then themselves.

Petitioner.

*They do absolutely yeeld and subscribe to the Articles of Christian
faith, and doctrine professed in the Church of England. And therefore
offend not against the statute made 23. of Elizabeth. c. 12. concerning
that purpose.*

Answer.

This is a palpable vntrueth: for both doe they put out
certaine articles, and adde others vnto the Apostles Creede,
And *T. C.* and *Fenner* confound person and essence in the
Deitie, and make the sonne to proceede from God the Fa-
ther. The article concerning bishoppes, and homilies, and
Ecclesiasticall gouernement they vterly denie, and there-
fore are both schismatikes, and heretikes, and offend against
that statute most directly, and denie it shamefully, and ca-
uill most absurdly. for where the Parliament calleth all the
booke

booke, and the pointes therein contained, *Articles of Religion*: These subscribe onely to the *Articles of Faith, and Sacraments*: Expounding faith strictly, and discharging theselues easilie, and expounding statutes contrarie to the opinion of Iudges. Call you this consistoriall interpretation?

They giue to her Maiestie all that power, that is recognised to be Petitioner.
in her highnes by the othe of supremacie, as it is by her Maiestie expounded, and therefore be no traytors.

How can this be, seeing they deny her power to nominate Answer.
bishops; to make ecclesiasticall lawes; to determine ecclesiasticall causes, or to delegate others to heare and determine them: and take away the last appeale, and cognition from her, and giue her not any tenths, or subsidies? how I say may this be, seeing they take away both her ecclesiasticall authoritie, and her reuennues, and giue this power partly to Elderships, partly to Synodes, partly to Deacons, new found creatures? And therefore, albeit they take the othe of supremacie: yet they deny her supreme power, vnder colour of the interpretation of the iniunction, which abridgeth not her power in cases expressed. Beware therefore Libeller, and touch this string no more: for it soundeth but badly in all loyall subiects eares.

They professe all obedience to the Lordes of the counsell, the Iudges and ciuil Magistrates, and therefore be not Anabaptistes. Petitioner.

He saith, they professe all obedience: but if he would haue Answer.
excused his clyents; he should haue said, they performe it; for the Iesuites doe in termes professe obedience, yet none more factious: this is a point that doeth neerely touch his cause, and would haue required more diligence in clearing of it. For whatsoeuer they professe in this petition, both their doctrine and behauour is contrarie. They set the subiectes against the prince, as hath bene shewed, and haue wilfully oppugned all her Maielties ecclesiastical lawes: they vse her with bitter termes. Martin saith, *her Maiestie is* ¹ *seduced,* ² *and that God* ³ *alloweth not her gouernement, and that she biddeth*

¹ Epist p. 10.
² & 53.
³ Hay any worke.

¹ Ibidem.

² Regist. p. 48.

³ Motion with
submission.

pap. 47.

⁴ Gilbie.

⁵ 2. Admonit.

⁶ Supplicati-
on.

⁷ Epistle be-
fore reforma-
tion no ene-
mie.

⁸ Ibidem.

⁹ Ibidem.

¹⁰ Vdals dia-
logue, end
Martins Epist.

Petitioner.

Answer.

¹¹ Annotat.
Rhemens. in
act. 23.

¹ battell to God; They teach, that Ministers ought ² not to obey the prince, when he prescribeth ceremonies, and fashions of apparell. They accuse her maiestie, cyther of ignorance being abused, or vni-
thankfulness to God, and negligence ³ in her due tie. They resem-
ble her to ⁴ Icroboam; Achab, Iehoram, and other wicked
princes. They that wrote the ⁵ Admonition acuse the high
court of parliament of iniquitie; & affirme, that it shall be easier
for Sodom and Gomorrha, then that court, and calleth the Lords,
politike Machiauels. Penrie accuseth ⁶ them, of betraying God,
and his kingdome, and prophecieth of the Spaniardes to come and
wast the land. They affirme, That our counsell ⁷ may truly be
said to delight in iniurie and violent oppression of Gods saintes: And
that the Lordes cannot possibly bee said to deale in ⁸ matters of In-
stice: They charge them with maintenance of impietie, and say
that with ⁹ Pilate they crucifie Christ. They affirme, that the Ma-
gistrates, and Ministers haue walked hand in hand in the contempt
of true religion. They call, the Iudges wicked lawyers, and Atheists.
Vpon ecclesiasticall ¹⁰ gouernours they railc most impu-
dently, calling them robbers, wolues, simoniakes, persecutors, and
such like. And therefore if they bee not accompted Anabap-
tists, they haue the more wrong, seeing in all disobedience,
and vnciuill reproches they passe the Anabaptists. This is
the onely difference, that Anabaptistes reuell against all Ma-
gistrates; these against such especially, as withstand their re-
bellious designements,

They holde it lawfull before Magistrates, to take an othe, so it be
not taken in vaine, or in matters vnknownen to them.

So likewise the Iesuites, and Rhemistes doe thinde it law-
full: yet to accuse their fellowes, or to hurt themselues, they
thinke it vnlawfull to take oathes. and say, That such oathes
¹¹ that are so taken doe not binde, and must be broken vpon paine of
damnation: which is also the case of puritans. for either they
refuse to sweare, or to answer concerning their brethren, as
they call them; And what a vaine othe is, that themselues wil
also iudge, ouerthrowing the ordinarie proceedings of lawe,
and

and beſt meanes of triall. yea diuers of the haue very ſmall regard of their othes, as the r  cordes of their anſweres wil teſtifie: for either they aunſwere vntrueth, or elſe reſuſe to anſwere ſo farre as lawe bindeth them, yea albeit the matter be declared vnto them. The authors of this booke, they haue forſworne the telling of all trueth.

They ſeek not to pull downe the courtes of Juſtice, &c. onely they would haue biſhops and eccleſiaſticall perſons ſhut out from them. Petitioner.

Yet if the eldership did ſhine in his glory, all the courts of Juſtice might pull downe their ſeates. For if that the conſiſtorie may order al matters c  trarie to the law of God & where in is breach of charitie, what ſhall be left for other courtes? Herein therefore they ſhewe not onely ſinguler preſumption in theſelues, but alſo great malice againſt other. Themſelues would entermeddle in all cauſes: Eccleſiaſtical perſons they cannot ſuffer in any: yet are biſhops a principall parte of the court of parliament, & Star chamber, & by the gouernours of this realme thought fitteſt, and by no lawe debarred to be there, vnleſſe it be by the lawes of the c  ſiſtorie made for the extinguiſhment of religion, & learning. Whereas contrariwiſe, the new churchaldermen haue no warrant of law, but ouerthrow all lawes, and her Maieſties prerogative: And yet would be admitted in parliament, & conſulted with in courts of Juſtice, & ſeek that al men ſhould dep  d vpon the here, as vp   Beza at Geneua: & endeouour to ſuppreſſe men of learning & grauitie authoriſed by law: that certeine worthles men, vnder pret  ce of authoritie fr   Chriſt may tread downe lawes, & rule as they liſt. At Geneua they pretended firſt religion, but they ouerthrew ciuil magiſtrates in the end, and expulſed the Biſhops of Geneua, which were gouernours of that ſtate.

They deny not that matters of teſtaments and marriages, may be determined by ciuilians, or temporall lawyers. Petitioner.

It ſkillesh not greatly what they affirme, or deny, vſing to doe both very impudently. The lawes of this land haue thought fitteſt, that both matters of mariages, and willes, and alſo

¹ Declaration of certaine actes, made anno 1584. and in a certaine pamphlet ſpread abroad by them.

Anſwer.

also causes of benefices, of tythes and slaunder, and other ecclesiasticall controuersies, should be handled in ecclesiasticall courtes. The priuiledges of the Church princes binde themselves to obserue, and the statute of *Magna Carta* confirmeth. What shamelesse men then are these; that would ouerthrowe so auncient courtes of Iustice, so auncient lawes, and giue cognition of matters to those that haue no skil, nor lawe to decide them by; And of a certaine state to make a most vncertaine and wauering state, and to ouerthrowe the most excellent studie of the ciuill lawes, yea ciuilitie it selfe; to bring in barbarisme? But let them settle themselves, they are men fitter to parte a bootie taken by force, then to deuide the offices of gouernement. euery man let him goe to his occupation, clownes to the plowe, marchants to their shops, Clarkes & scribes to their penne & ynkehorne, and this petitioner to Bedlem. As for the iurisdiction of bishops, it is not onely confirmed by lawe, but by antiquitie, & reason. whereas the whole frame of discipline standeth vpon a fewe mens fancies, neither wise, nor learned, and is repugnant to lawe, and orderly gouernement, yea to Gods word.

Petitioner.

They teach that the Ministerie nor people ought to make any generall reformation.

Answer.

Marke I pray you, how nicely he minceth at matters. He will not say that either Ministers or others shall by force, or other meanes of their owne authoritie, make a generall reformation: but that they may euery man in their seuerall parishes make a reformation, he will not deny. so the enuy he would a little decline, but his hope of rebellion he would not loose. but all cometh to one reckonning, for whether this reformation, or rather rebellion be made all at once, or in diuers particular places at seuerall times, all cometh to this passe, that priuate men shal disanul lawes, and erect new orders, and rule as lordes, and neither prince, nor lawe beare sway: so that were it as this man setteth it downe, yet were it too too bad. But I will shewe that the consistoriall do-

Strive

Arine, yea and proceeding is farre otherwise. *Noblemen*, saith
 1 *Knox*, ought to reforme Religion, if the king will not. the same
 power he giueth to the 2 *comminaltie*. If the Prince will not yeeld
 to his 3 *nobles and people*: he armeth them with power to depose
 him. Nay saith he further, If princes be tyrants 4 *against God*,
 and his trueth, their subiectes are freed from their othes of obe-
 dience.

With him accordeth 5 *Buchanan*: he saith the people is more
 excellent then the king, and hath right to bestowe the crowne at
 pleasure: and may make such lawes, as it pleaseth them: that the peo-
 ple may arraigne the king, and that Ministers may excommunicate
 him, In which case most wretched is the king, and the people most
 puisant. He saith further, That albeit Saint Paul commanded
 obedience to tyrants: yet it was in respect of the times, and people
 that were weake, and not able to take armes.

The same doctrine is maintained by 6 *Beza*, by 7 *Hotto-*
man, and others; and it is the sweete reformed doctrine (as
 they call it) of the perturbers of our state. 8 *Goodman* found-
 ed the trumpet of sedition to the nobilitie and people, a-
 gainst the prince: and holdeth, That if princes will not reforme
 religion, yet others might reforme it themselves. The same argu-
 ment is handled in that traytorous dialogue, which *Ghylbic*
 published. And *Th. Cartw.* although he denieth it, as it should
 seeme, hath taught this mystrie of discipline to his scholler *Fenner*,
 that there are certaine *Ephori*, that ought to haue authoritie aboue
 the Prince, which not onely may controlle him, but also settle mat-
 ters which he neglecteth.

And according to this doctrine they proceeded first at *Ge-*
neua, shutting their gates against the Bishop, their prince, and
 seasing his reuennues, and altering the state: and afterward in
 France, & Scotland; which example was as good, as a lawe
 to those that here admire the of *Geneua*. Priuately they whis-
 pered in mens eares, & in coutrie parishes prepared the mul-
 titude to sedition: In the end, at *Warwicke* they set downe
 lawes, and euery man bound himselfe by promise, and sub-

1 *Histor. Scotl.*
 2 *appellat.*
 3 *Knox.*
 4 *Histor. Scotl.*
 5 *pag. 49. 50.*
 6 *Knox ap-*
 7 *pellat. p. 18.*
 8 *30.*
 9 *Knox to*
 10 *Engl. and*
 11 *Scotl pag. 78.*
 12 *De iure reg-*
 13 *ni.*

14 *De iure ma-*
 15 *gistrat.*
 16 *7 Francogal.*
 17 *Goodmans*
 18 *booke.*
 19 *Theolog.*
 20 *sacr.*

* In his answers on his othe.

scription, to the aduancing, defence, and exercise of them. *The Cartw.* being examined vpon his othe confesseth, *That so much of their discipline as concerned the order of preaching & assemblies, they meant to put in practise.* Last of all, by *Coppingers* extraordinarie calling, they had meant to haue done some strange feate, if God had not wrong the sworde out of such desperate fellowes handes. Seeing then this is their common doctrine, and practise, & that diuers assemblies haue bene made to this end; in vaine doeth the libeller goe about to cleare his consortes of conspiracie, of vnlawfull practises, routes and reuels, made for the obtaining of their conceited gouernement.

Petitioner.

They detest all such as diffame her Maiestie.

Answer.

Here the Petitioner renounceth, and desieth all his consortes, the most notorious diffamers of her Maiestie, that euer wrote or spake in our times, the Iesuites and their partizans onely except. for they doe not onely diffame her ecclesiasticall lawes, but also her parliament, her Iudges, her religiō, her iustice; *Her maiesties gouernement of the Church* (saith one) *is traitorous to the maiestie of our sauour Iesus Christ.* another calleth the gouernmēt *Antichristian,* 3 and deuilish; A 4 third calleth it, *false, vnlawfull, and bastardly*: generally, they reuell at it, as if we liued not in Christes church, but in the confusion of Babel. *Penrie* saith, 5 *That we are neuer the better for the reformation we haue by her Maiestie.* What speeches they vtter against her maiestie, her parliament, and Iudges, before I haue noted. Yea, *T. Cartw.* vsed so vnciuil a terme in regard of such a prince, that I would be ashamed to vtter it, if their rude and shamefull dealing might otherwise be discovered: *He saith, the Archbishop is a band to all manner of sinnes in princes;* you may your selfe collect the sequel of so lewde termes: loyalty will not suffer me to say what it is. Against lawes they bitterly declaime, one saith, 6 *Impietie is suffered to beare sway against the maiestie of God, and that by lawe and authoritie.* The 7 Iudges are called *Atheistes.* Nether doe they spare our religion. For *Gilby* saith, *We haue mixed the religion of Christ, and Antichrist together;*

* Supplicat. to the parliament.

1. Admonit. pag. 15.

4 Hay any worke.

5 Supplicat. to the parliament.

6 Penry Supplicat. to the parliament.

7 Epist. before reformat, no enemy.

ther, and they say our Sacraments are wickedly prophaned and mangled. to make a somme of many particulers; not the papists haue spoken against her Maiestie, and her religion, and lawes, and our communion booke, and prayers more wickedly then these. Wherein, if the petitioner holde that her Maiestie is not diffamed, hee is very ignorant. for true honor consisteth specially in the maintenance of true religion: if he confesse that these are diffamatorie speeches: let him not onely in wordes detest them and his fellowes, but also in fact leaue them, otherwise all goodmen will detest both him and them, and in the end, some will punish them both, as diffamers of her Maiestie, and the state.

They say Princes are to submit themselves to excommunication, and censures of the Church. Petitioner.

If they say so, they maintaine an opinion very preiudiciall to princes, and not iustificable by any scripture, nor holden by any, but by the papal, and puritan factions; which thereof haue made their profite. for thereby the Popes haue raised vp themselves, and throwne princes downe vpon the ground, & opened wayes to many rebelliōs. Neither is it to be doubted, but that they wil also follow their steps, that so stifiy hold the same opinions: and that against all reason. for there is no precedent of it in the new, or old testamēt. That *Azarias* went out of the temple, was not by the sentence of the Iudge, nor for matter, wherefore men be cast out of heauen. *Ambrose* pronounced no sentence against *Theodosius*, whatsoeuer the Canonists say contrarie. neither standeth excommunication of princes vpon any good ground. for seeing souereigne princes haue no superior Iudges vpon earth, who should excommunicate them deseruing to be so vsed? Those therefore that abase the prince vnder the becks of a packe of clownes, and clowters called churchaldermen, are not to be suffered to passe without controulement.

They maintaine, that a Magistrate excommunicate, ought to be obeyed, and honoured in all points of subiection. Petitioner.

Answer.

They maintaine they knowe not what. for if he that is, *excommunicate*, is thrown out of heauen, and made the slaue of Satan, as *Beza* roundly teacheth, what reason haue Christians to obey him that is Satans slaue? Or how can the same that is the slaue of Satan, and no member of the Church, be supreme gouernour of a christiā cōmon wealth? And if, as *Buchanan* saith, *He doe not deserue to liue vpon the earth, that is by excommunication cast into hel*, How can he be thought worthie to enioy the greatest honors that are vpon earth? This is also contrarie to our lawes, that deny action, or benefite of common lawe to persons excommunicate; and it is one of those heresies for which *Grègorie* the seuenth was deposed, *that excommunicating the Emperour, he did notwithstanding dispence with those that kept him companie*. Neither skilleth it, that the Canons will haue obedience giuen by the wiues to the husband, by the seruants to the Maister, notwithstanding any excommunication against them. for that right is the interest of nature, which remaineth, when ciuill bonds are dissolued. That all ciuill bondes are dissolued, or at least suspended by excommunication, the Canonistes doe agree. And those that say the Prince is to be excommunicate, confesse also, that their subiectes are assoyled from their obedience. And it is the practise of papistes, and doctrine of *Goodman*, and followeth necessarily vpon the common assertions of puritans, howsoeuer for a time to couer the shame of their opinions, they are now content to lay downe the premisses without conclusion, and to separate the conclusion from the premisses; bad logitians, worse subiectes, most insolent commanders. Simple princes they are therefore, that will voluntarily submit themselues to their gouernement: and presumptuous subiectes that dare require such thinges at the princes handes.

Petitioner.

Their suite is, that the Church may be ruled by Christes officers, lawes, and orders.

Answer.

Away then must the churchaldermen packe, for they are not

not Christs officers: & the supposed holy discipline must depart, for it is but T. C. conceit, and two or three other threed-bare witted companions. Away likewise must this forger be packing, that without authoritie maketh out new commissions, and new lawes.

Their desire is, that euery congregation &c. might haue one, or two sufficient teachers &c. faithfully labouring in the worde of God, or doctrine. Petitioner.

If their congregations be as great as shires: two would be too litle foreuery such congregation; and besides that, the course that is already taken for preachers is better, then they can deuise any. For now in diuers shires there bee hundreds of preachers distinguished in parishes. If euery parish bee a sufficient congregation, as in deede it is, how shall two bee maintained in euery parish, where as nowe not euery tenth parish with the liuing that belongeth to the Church, is able to maintaine one preacher? Doth he thinke men will enlarge their liuing? If he doe; he doth but dreame. And as for the deuises of him that coggged vs forth the motion with submission, sounding an alarme to the sacrilegious spoyle of the Church: they would bee the ouerthrowe rather of learning; then the maintenance of the ministerie. for other great birds gape for that pray. As for these poore dawes, when they haue made way for others, they may go picke wormes, for any part they can get thereof themselues. when Abbeyes were ouerthrowen, *erecting of schooles, hospitals, and colledges of preachers was pretended*: but whither the spoyle went wee doe well vnderstand, and doe not thinke, that there will be other prouision nowe, then was then, or that men will in spoyling bee more religious now, then some were then. That appeareth by the preface of the statute concerning that poynt.

They would haue assisting elders, &c. that should not encroch on the magistrates authoritie, and they would haue the most honest and sufficient men to gather for the poore, and keepe the treasure of the Church. Petitioner.

The treasure of the Church would bee so thinne, if this Answer.
deuise

deuise of elders, and lay deacons shoulde take place, that they shoulde not neede to take any care for the keeping of the treasure. At *Geneua*, and in the reformed Churches of France, as they call them, the treasure is all but one poore almes boxe. They neede not feare robbing: why then should any that fauoureth the Church, like of their beggerly deuise, or of assisting elders & proctors for the poore, that are but new conceits calculated by a glasse of wine, vnknown to scriptures, fathers, and antiquitie, and borne out with flattery: and fauour of nought but sacriledge? Neyther can his aldermen, nor lay deacons bee prooued, nor doe they abstaine from encroching vpon the magistrate: nor will any such men as hee supposeth take on them the base function of lay deacons: and therefore all these desires are nothing, but a fardell of foolerie.

Petitioner.

They would haue olde helpers so quallified, as the Apostle commandeth, 1 Tim. 5.

Answer.

Do they knowe what they would haue? Let them shewe eyther commandement in scripture, or practise in the primitive Church, or Church of *Geneua*, of their olde widowes: and then I would hope they had some care, or knowledge what they desired. if they cannot, then I would pray some yong helpers to helpe vs away with such old fablers.

Petitioner.

They would haue all these ordeyned in such maner, and by such persons, as the word of God, practise of the primitive Church, and moderne Churches doth warrant.

Answer.

What if these moderne Churches neyther agree among themselues, nor with the worde of God, nor primitive Church, will you not then confesse that you require things not coherent: and that cannot stand together? Looke where you finde any lawles counterfeite lay elders in the ancient Church, or where any ordeyned but the bishop: looke whether at *Geneua* there bee consistories in euery parish, and what authoritie they haue: And see whether Scotland doth not condemne imposition of handes, and diuers orders which

which Geneva alloweth, All these deuises cannot stand together, and therefore if you had learned any thing in lawe: you might well vnderstand, that forasmuch as you alledge things contrary: your libell and petitions are to bee reiectcd.

They desire synodes particuler, prouinciall, and nationall, and moderators of them. Petitioner.

They must shew better reasons, or else no man will re- garde their desires. Occumenicall synodes, and synodes of diuerse nations they exclude, and ridiculously distinguish particuler from prouinciall synodes, and make particoloured synodes, and a mash of lawes fitter for sicke horses, then men: And by the same they goe about to ouerthrow the ancient gouernement of the Church, the lawes of the Realme, the prerogatiue, and reuenues of the Crowne: and to say all in one worde, both religion and learning. Answer.

They woulde, that the partie grieved might appeale from the particuler congregation, or synode, at the first instance to the magistrate. Petitioner.

This seemeth to mee a poynt, that will hardly bee proved: for the common receiued opinion is contrary. *Beza* doth flatly deny it, and others exclude the prince from all iudgement, yea, and office in ecclesiasticall causes. This fellowe therefore is the onely singuler doctor of discipline, that giueth cognition of appeales from synodes to the prince. But marke I pray you the ridiculous ignorance of this simple fellowe. first he would haue the appeale from the synode, or particuler congregation in the first instance: And yet euery man may see that the first instance was, where the cause was first begunne, that is, in the parish or consistorie, and not before the synode: Secondly he wil not say, that any man may appeale in the last instance, for that were too much, as hee thinketh: so that still running on in the disloyall tunes of puritanes, hee taketh from the prince the

last cognition, and giueth it to his synodes.

Petitioner.

They desire that such people, as be alreadie capable, and willing to liue as becommeth Churches of Christ, might liue as they bee commanded by Christ.

Answer.

If euery man might liue as he list, so hee coloured his pretence with Gods word and Christes commandement, there would neyther papist, nor other heritike be repressed. for euery man maketh religion and Christes commandement a couer for his pretences. But gladly would I, he should answer me this question; whither hee doth thinke that none doe liue as becommeth Churches of Christ, but such as haue his dogbolt deuises of elders, and their doltist gouernement? if hee answer so, as here he seemeth, then must I tell him, that there can be no greater slander of this state, or of her Maiestie, and the gouernement. If not, what doth he tell vs here of people capable, and willing to liue as becommeth the Churches of Christ, as if the people of England were neither capable, nor willing so to liue? Againe, let him tell mee in good sooth, whither hee doth belecue, that the consistorie, and newe discipline thereto belonging was in deede commaunded by Christ: and if hee belecue it, let him shewe the place, and the words of the commandement, and declare what father euer so thought, if he belecue it, and cannot bring forth any place, but wrested: he will be taken for a man building his faith on sand: and shal be had forth for a forger, and deuiser of strange nouelties, and condemned in amendes for making leasing of his consistorie.

Petitioner.

They professe and protest this reformation to be most agreeable to scriptures, so learned writers, yea commanded by Christ, and not preiudiciall to the state, if they may be heard.

Answer.

But we looke for prooffe, not for protestations, the vanitie whereof is too too apparant in the puritanes: prooffes must cary away the matters, and not brags. But prooffes can they bring none, for wee haue shewed that both scriptures, and fathers are against them: and nothing can they say to the contrary,

trary, yet haue they bin heard to the wearinesse of al their readers, & scorne of their discipline, and shame of their actions. neither is it to be presumed, that they can speake better then they haue written, nor will performe more, then they haue done, or any part of that they haue promised. they haue none that taketh part with them in this cause, but the *Geneuians* and their followers. whether these be to be heard against all antiquitie, let all men iudge: and therefore if they be wise, let them take heed, that their cause come not in hearing: for then both the noueltie, fondnesse, and iniustice of it, of euery reasonable man will be condemned.

This is the somme of their professed opinions, and reformation. Petitioner.

No reformatiō by your leaue: neither any perfect somme: Answer.
for there wanteth a good part of all. for the chiefe poynt that they desire, is that bishops liuings, & cathedral churches may come to diuision, that these hungry hines that haue spent their wits, & wealth in vanity, may now be relieved wth sacriledge.

Next to this, they desire that certaine factious mates vnder the name of elders may haue the disposing of all ecclesiastical matters, that when the first spoiles of churches are spent, they may by their elderly wisdom command, & worke the sacke of the Nobility also. They would also, if they durst speake it, craue that the Prince, Parliament, Counsel, & Iudges would giue ouer their charges in ecclesiastical matters, that their synodes & consistories, & people might either rule as they list, or liue as they list. A small point in these mens conceits: may it therefore at these mens requests please her Maiestie and all officers to giue vp their estate, that these new lords may rule?

Fourthly they desire that all lawes that make against them, being abrogated, their word may be accounted good law: and that all law may proceed out of their diuine breasts. and good reason: for like yong *Popillions* they say, that they iudge in Christes seate, and sit as Christes vicars, and that their sentence is Christes sentence: and yet is the same no more but the conceit of foure, or fve beetleheaded Clownes, or Marchants

chants guided by one blinde man that neuer looked out of schooles, called by them, pastor, & president of the consistory.

Fiftly, they seeke the ouerthrow of the state, of religion, of learning: they would make the prince subiect to themselves, and dispose of her reuenues and crowne.

Lastly, they desire that all artes, and studie of diuinitie ceasing, only mē would professe discipline, which is that diuine state, as they thinke, which *Plato* speaketh of in his vtopicall common wealth: and these are their opinions for gouernmēt. Their opinions for doctrine are also diuers, & very dangerous to the state, & hereticall in respect of christian faith, as before I haue in part noted. put both together: there is no mā either wise or learned, or loyall to the State, that will eithere yeelde to graunt them their desires, or els to heare the motioned being so vnreasonable. Neither is it true, that hee saith, *that men doe insollerably slander his consorts*. their wordes beare witness, their writings and doings conuince them, neither shall they euer be able to cleare themselves. I haue not alledged any thing without reason: why then do they not cleare their deuises accused of falshood, imperfection, and notorious iniustice? why did not this author, if hee meant good dealing, set his name to his booke? how can he excuse himselfe, either for his libelling, or slaandering? his excuse is most wicked: *marueile not, saith he, good reader, that I doe not affixe my name to this my Treatise: it is not known who was the writer of the epistle to the Hebrewes*. As if that epistle were to bee compared to this Libell, or the author thereof to this raylor: nothing is more contrary. It is well knowen, that that epistle was written by the spirite of God: this dogrell treatise is knowen to be deuised by Satan the sower of contention, and lewde opinions, among brethre. The writer of that epistle is not knowen; yet no man doubteth of the authoritie of it. The writer of this Libel is wel knowen; I would he so well knewe himselfe. His bedlem fits also, and helpers he had in his writing, are knowen. A childe may see that in the whole there is neither

wir,

wit, nor learning, nor ought but friuolous rayling, and libelling, and slaundering, and therefore no man giueth any credit or commendation to it. But this it pleased him to alledge, because *Th. Cartwright* alledgeth the same excuse for not putting his name to his first reply. Let them therefore bee put both together, for they are byrdes both of one plumage and qualitie: and percase if they write bookes whereto they dare not affixe their names, may haue their eares affixed, where they would be ashamed.

He alledgeth further, *that no indifferent welwiller may scarcely be heard to speake the trueth*, charging her Maiestie, and the gouernours not onely with notorious iniustice, but also with resistance to the trueth: and that most vntruely, and disloyally. for her Maiestie hath but too much heard them speake, albeit against trueth: yea, against her dignitie and gouernment, and suffred their Legendicall tales of their elderships: of which if they were not ashamed, they would not flie the light like owles, nor walke abroade in libels in the night, like night walkers, & other euil disposed persons: nor would they send vs forth such frāticke & lunatike persons, as this author, that barketh at euery shadowe: yea, at shadowes in mooneshine, to speake for this glorious cause, as they cal it: nor would he desire men to hide him, as *Rahab* did hide Gods seruāts, wherein he doeth shamefully abuse this whole State, comparing the same to *Iericho*, and the Magistrates to the wicked *Cananites*, accompting onely those that are of his faction for Gods seruāts. Would we suffer such cōtumelious speeches, yet all posterity will cry shame on these raylors, & I doubt not but the Magistrates wil consider of them. In the meane while, let him vnderstande, that this example fitteth him not: for *Rahab* did hide no libellers nor railers against the state: nor are the women he frequētereth so honest as *Rahab*: nor is it a seemely matter for such a braue challenger to make a brag, & so to run away: nor decency for him to preferreth a supplication to the Queene, & to kneeleth before her Maiestie, to hide himselfe &

his name: nor can it stand together, that a man should kneele before her Maiestie, and yet conceale his name and person.

He promiseth *when his apparance shall be found more profitable, then his concealement, that he wil come forth, and try himselfe a proper man*: but he had best come forth in time, lest if, as he saith, he be in concealement, some one or other begge him of the Queene: for to her belong both concealements, and the custodie of Ideots. He braggeth, *that he will iustifie his wordes in such maner and forme, as he hath written them*: but goodman, he neither vnderstandeth what he hath written, nor hath furniture nor stuffe in him for so hard an encounter. for hee holdeth more of *Luna*, then *Mars*, and is rather lunaticall, then martiall. It is not long since his Bedlem fits left him. Of Logicke he hath no taste, nor yet of Diuinitie: why then should he like a desperate sotte, or like a man without armes, or order of warre venture into so dangerous a battell? His good masters are quite fled out of the fielde, and all their newe disciplinarian deuises are vanished away like cloudes, and onely remaine in certaine idle mens braynes, who may in time percase digest them: and therefore if this sentence *nubecula est, cito transibis*, please him; let him write it vpon the doore of the consistory: for like a cloude it hath bene lift vp, and like a cloude it hath bene tossed with contrary opinions, and like a cloude it is almost vanished away.

And thus much concerning the petition. Now let vs consider his Articles and Questions: not that they containe any new matter, (for both his petition, articles, and interrogatories proceede from the same malice, and tende to one ende, and containe the same odious accusations against the State) but for that wee meane not to leaue vnto these men any shadow, or pretence for their cause. If the same things bee often repeated; blame him that so often obiected the same, not them that answere their calumnious and vayne obiections. accusations are often odious: defence of orders and lawes cannot but fauourably be esteemed,

WHEREIN IS CONTEINED AN ANSWERE TO CERTAINE

Articles and Questions annexed to the foresayd

Petition, wherein the Libeller hath spread
diuers slanders against Ecclesiasticall
gouernours, and their
proceedings.

The Title to the Articles.

Certaine Articles, wherein is discovered the negligence of the Bishops, their Officials, Fauourers, and Followers, in performance of sundry Ecclesiasticall Statutes, Lawes, and Ordinances royall, and Episcopall, published for the gouernement of the Church of England.

His Libellers purpose was in pretence onely to defend. but I percciue, albeit beside his purpose, now he meaneth to strike, and offend; and that in treason, and in the darke, when no man can strike him againe. A common trick of Libellers, that deuise what reproche they can against such as they hate, and publish them, & then renounce them. So this fellowe goeth about to bring bishops in disgrace; then all those Ministers that liue in obedience of Lawes. But he meaneth not to stand to the matter, for he concealeth his name. Well, let vs see what he saith against Bishops, and other Ministers and ecclesiasticall persons. Much (it should seeme) he cannot say: for he is ignorant what are *Ecclesiasticall lawes*, and by what authoritie they stand; and calleth them *Ordinances royall, and Episcopall*, when it is euident, that there is no lawe in England, but *Royall*; and that no bishop may make any ordinance, or Lawe.

By the statute 25. H. 8. 14. it is accompted by the Parliament against equitie & due order of iustice, to bring any man in danger of his life, name, goods, or landes, by any intrapping Interrogatories,

Answer.

wish-

without verdict, witness, presentment, or confession &c. for making, printing, or dispersing of seditious bookes, & sundry other grievous crimes &c.

Answer.

Neither is the statute truly reported, nor is it proved, that the bishops or their officers proceed contrary vnto it, or other lawe concerning that poynt, as this false accuser pretendeth. For the first, it is euident: for that which the statute decreeth concerning *heresie*, this accuser transferreth to *printing & writing seditious bookes*: as if it were to be presumed, that as innocents by that statute were deliuered from trappes of *heresie*; so such seditious offenders & libellers were protected by law against law: whereas there is no mention, nor intendment of any such matter in that statute. The second appeareth, for that the Accuser doth not once charge the *high commissioners*, at which he aymeth, with breach of this statute. He knew very well, there is nothing in their proceedings contrary to this statute. For they do not, as this libeller surmiseth, minister captious interrogatories. Secondly, they do proceed to punishment against none, but conuicted by lawful witnesses, euidence or confession; neither otherwise, then by warrant of their commission: which I would gladly see the libeller whether he dare to opugne. That which is set in the side, Of oath *ex officio*, pertaineth not to this matter: for in this statute there is no word concerning any oath. And therefore he that put the same there, did like him, stroke a faire blow, but touched not his aduersary.

Article 3.

All men are baylable, that are not prohibited by law to be bayled.
2 West. c. 15.

Answer.

These words are not found in the place quoted, nor any of such nature; no, nor in any other place. Percase the Libeller meaneth as wel to forge new lawes, as new religion. If he meaneth the statute made at West. 1. Ed. 3. c. 15. yet is there no such matter. for there we find rather, who are not to be bailed, then who are to be bayled, which is to be gathered out of the statutes & common lawes: against which if he wil charge the honourable persons of the high commission to haue proceeded,

ded, why doth he not note the fact and time, & other circumstances? If hee thinke that either those that are taken by the writ *de excommunicato capiendo*, or such as are committed by the high cōmissioners ecclesiastical for contempts, are bayleable, he neither vnderstandeth law, nor statute: for law auotoriseth both. And if it should not, then would penalties be frustratory, and offenders be rather protected by law, then by lawe punished.

No official nor other officer should take any more, the three pence for the scale of a Citation: els they forfeit double costes, &c. Article 3.

Why doe you not sue them vpon the statute, if they take more? you might make a goodly gaine in promoting of matters against them: but you will not; your proofes are so slender. That *Officials* & others do take more then they ought for scales of *processes*, I know not: if they doe, I defend them not. But sure I am, that no officers take lesse. To let others passe, I know certaine *Pettifoggers* and *Scribes* like the forgers of these articles, that by taking are growen to wealth: and a *Scribe*, that for signing and sealing a letter, hath had not *three pence*, but *three pounds*, and a good gelding for expedition: neither is any thing more vsuall, then the bribery & extortion, and coosinage of these companions, that are most busie in watching, and accusing of others. Let them therefore take heede, that they may be able to cleare themselues: and for ecclesiasticall officers that haue taken more then ordinarie, spare them not. In this taking worlde, it were good, that takers of all sortes were looked vnto.

No forreyn constitutions &c. haue any force in our state. 25. H. 8. cap. 19. yet the Bishops in their consistories practise Romish and Imperiall constitutions. Article 4.

In these few words many great faults are cōmitted. first, he iumbleth *Romish*, & *Imperiall constitutions* together, as if same were both one, or as if the law of the *Pandeets* were called *Constitutions*. secondly, he calleth her *Maiesties lawes*, *forrein lawes*, making this realme & crowne to depend vpon forrein power, which

which is derogatorie to her *Highnesse* auctoritie, and contrary to pra^{se} of Lawe. For whenceſoener any lawe is deriued, yet is it the lawe of that countrey, where it is practised. The lawes of the *Romanes* for the most part were borrowed of the *Athenians*, and *Spartans*: yet were it absurde to call the lawes of the twelue tables, the *Lawes of the Greekes*.

Thirdly, ignorantly he supposeth, that the statute condemneth forreyn lawes; yet doeth it not speake of any forreyn lawes, but onely of the ecclesiasticall lawes of *Englande*: the equitie whereof is so apparant, that if twelue Consistories, and so many *Scribes* and *Proctors* should all ioyne their heads together, yet could they not deuise any one lawe so equall, as the worst of these, that are in vse. and those that haue gone about to make other Lawes, and correct the olde, haue committed such errorrs, as their friendes may bee greatly ashamed in their behalfe. The Ordinances of *Geneua*, and articles of *French discipline*, and that *pelfe* that ours call *Holy Discipline*, shall testifie this to bee true, as by particulars I will shewe, when neede is. Lastly, they charge the Bishops for putting in vre forreyn *Constitutions*, and yet cannot name one. But if the Bishops offende, that execute her Maiesties Lawes; howe will this Accuser answere for his Clyents, that haue in secrete conuenticles enacted, and also practised *Canons*, and Lawes directly contrary to her Maiesties Lawes, and Prerogative, and therefore are to suffer imprisonment, and pay fine at her Maiesties pleasure, by the same statute they alledge against vs.

* In their meetings at *Warwick*, *Cambridge*, *Oxford*: especially, when the new discipline was vpon forcing.

Article 5.

Such Canons and Constitutions onely as bee not repugnant to the Lawes, Statutes, and Customes of this Realme, ought to be put in practise. 25.H.8.c.19. *But the bishops giue sentence in infinite matters, which would be otherwise ruled by the Common Lawes.*

Answer.

If the Bishops or other Ecclesiasticall officers should deale either contrary to Lawe, or without warrant of Lawe, they coule not escape punishment, hauing so many spitefull eyes to watch ouer them: neyther (if they should attempt it)

would

would the reuerend Iudges which are to grant prohibitions in that case, permit it. If they doe against the lawes of the Realme, why are not the lawes named, and men charged, and the fact noted? This silence of the babbling accuser is their sufficient discharge: and his vaine discourse voyd of reasons, a condemnation of his babbling.

The Bishops haue reckoned such men as haue bene ordeyned ministers in reformed Churches, to be lay men. Article. 6.

All haue not so reckoned them. yet if they had, they had not done it without cause. for they theselues say, the bond is only mutual betwixt the minister, & that particular congregation whereof he is made minister: and that one congregation cannot appoint ministers for another. and our lawes allow none, but made after our orders. Why then do not new made ministers packe away to their makers? Why doe they run away from their congregations like recreant souldiours from their stations? Here they haue no calling. Both popish priests, and they alike may wel be accounted with vs to haue no calling, being both by their owne doctrine, and by the statute of 13. Eliz. c. 12. debarred from the ministerie: and for their hatred to the Church, most vnworthy of any ecclesiasticall function, or to liue in the Church which with all their might and malice they haue oppugned.

The law requireth a subscription to articles of religion onely that concerne the confession of true faith and doctrine of sacraments. 13. Eliz. c. 12. *The bishops vrges a subscription to the bookes of homilies and diuers ceremonial and transitory matters, neyther concerning faith nor sacraments.* Article. 7.

The statute requireth subscription to the booke of articles, and euery article therein contained: among therest, to the doctrine concerning our ecclesiastical regiment, & Homilies. that is cleare by the words of the statute, that mentioneth the booke, and al the articles therein contained, and by interpretation of the most learned lawyers. And if it were not so, the would it followe, that a great part of that booke which the

parliament meant to confirme, is voyde. which were to euent lawes by cauls (as these doe) not to interpret lawe. Neither doth it helpe the platformers, that the title of the booke is, *Articles concerning faith and sacraments*. For things are denominated of the greatest part: and in our account, matters of gouernment are directed by the word of God, which is the ground of faith, Neither woulde it bee taken, if any papist should take exception to any article in that booke, and not subscribe, for that it apperteyneth not to faith, nor sacraments. Besides the allowance of lawes and statutes, the Bishops for this subscription that is required vnto three articles, haue sufficient warrant. In vaine therefore woulde the articulators oppugne lawes by law: and disloyally doe they spurne at her Maiesties authoritie, yea in cases, wherein they cannot take any iust exceptions, bluntly subscribing to al the fond discipline of *Geneua*, to the which wee can take so many sufficient exceptions. But if it be such a fault to make men subscribe to lawes, whereunto euery man is supposed to yeeld his consent in parliament, and whereto euery one ought to obey: what punishment doth *T.C.* and his bold companions deserue, that subscribed to canons & constitutions, made in a corner, & directly ouerthrowing her Maiesties supremacy, & ecclesiastical lawes, & a great part of the lawes of the realm, if they were receiued? And if subscription bee so heynous a matter, why is it required at *Geneua* & in *France* to most simple orders, not for gouernement, but for the vtter debasing, impouerishing, and ouerthrowe of the ministry: as too late now the ministers themselves there begin to feelee? why should it, I say, be more lawfull there, then with vs?

Article 8.

If the bishops publish any Canons, or orders to be practised without the royall assent of her Maieistie, they should bee fined and imprisoned, 25. H. 8. c. 19. yet notwithstanding this statute, they publish subscriptions in their prouinces, and articles in their Diocesses without any assent of her Highnesse.

Answer.

The end of this article is to haue the bishops imprisoned and

and fined according to the rules of puritane charitie. But the meanes and proofes, whereby the articulatores endeouour to effect it, are all too weak. For they can neither prooue, that they haue published Canons, constitutions, and prouinciall ordinances without the princes assent, nor that they haue done any thing therein against lawe, nay albeir in their subscriptions they require nothing but obedience to lawe: yet did they not require them without speciall warrant. But (saith the accuser) they publish new subscriptions & articles. Goodly stufte. As if either subscriptions or articles were canons, or constitutions, or ordinances: or els such as minister priuate articles about matters in ciuill courts, could be said to make new lawes. It appeareth the man is but a nouice in law, that knewe not what is law. That he erre not, let him vnderstand, that the ordinances of discipline made by T.C. and his fellowes, were made contrary to this statute. And therefore if they desire Iustice to be done: let the lawe be executed vpon offenders, and let innocents be no more wronged.

*Ecclesiasticall officers extort from schoolemasters sometime 7. s. Article. 9.
sometime more, and make them subscribe: both contrary to lawe.*

If they take 7. s. for a licence, it is not much. I know a pettifogger, yea a Scriuano, that for writing a licence hath taken 7. li. let them therefore both bee punished together according to the seuerall qualities of their offence: and let all takers and extortioners answere for their extortions, I defend them not: I excuse them not: I fauour them not. As for subscription of schoolemasters, how can it be misliked, seeing it is only for confirmation of law, & exacted of them, least they should in still discontentment, & schismatical & heretical opinions into their schollers minds: as but too many factious and puritane schoolemasters haue done to the great preiudice of this Church, and state? the more haue they to answere for, that haue suffered them: and more care ought men to haue, that such nurseries of rebellion bee not suffered. But what reason hath this pettifogger, or the scriuano his suggestor to condemne subscriptions, seeing both of them win more by

Answer.

Done at Geneva, Ordonde
l'Eschole de Gene-
neua.

scribling, and subscribing, then any ecclesiasticall person I know in England.

Article. 10.

By the great charter none may bee imprisoned, but by the lawfull iudgement of his Peeres, or by the law of the land.

Answer.

By the lawes of the great charter the priuiledges of the church, & state ecclesiasticall, are with most pregnant termes confirmed, and yet this faction without regarde either of charters, or lawes, or honor of the prince that is sworne to maintaine them, or of the reputation of the realme, that standeth most in maintenance of Gods church & religion, goeth about to ouerthrow both the ecclesiasticall state, and all the customes, rights, & priuiledges of the church, if then he think it not lawfull to infringe the lawes of *Magna Charta*, what presumption is this, that he & his companions directly oppugne them? on the contrary side, he cannot charge any iustly with the breach of lawes. let him if he can name any, that hath imprisoned any contrary to the lawes of *Magna charta*. if he cannot, why doth he speake of imprisonment to no purpose? If he affirme any such matter of bishops, he doth them wrong. For they imprison none by authority Episcopall. If he speake against the high Commissioners in causes ecclesiasticall, he is to vnderstand, that diuers of them being of the most honorable persons, and Iudges in the land, they will not doe any thing against law. Nor doe they commit any, but contumacious offenders, whom no lawe may spare. That they punish men for not swearing vainely, is a vaine lye. To say, that an othe offered by a magistrate is vaine, is both disloyaltie, and Anabaptistrie. But all this rigour is clemencie, in respect of the consistoriall proceedings. For there men are censured by opinion, and ministers disgraced vpon suspicion, and *Caluine* put a syndicke and diuers chiefe men of *Geneua* to their oathe, to answere whether they had bene daunsing at widow *Baltazars* house: and after that remooued diuers of them from their places. he that liketh these orders, must needes commend ours,

By the common lawe, a man shall not be examined vpon his othe in matters that sound to his reproch. Crompton, 182.

Article. 17.

Cromptons worde is no measure of lawe. The contrarie hereof is lawe, by the opinion of the most learned Iudges in England. It is the practise of the court of Chancerie: in the court of the coucel of the marches, & principallitie of Wales: in the court of Starrechamber: whereas the parties are examined vpon their othes, vpon periuries, forgeries, and many other misdemeanors, Suppose it be at the instance of parties, which notwithstanding is not alwayes: yet it appeareth, that othes to discouer things reprochfull to a mans selfe, bee lawfull and very common, and most necessarie: And a simple lawyer was he, that vnderstood not so much. Likewise in other courtes of recorde at Westminster, the iudges by corporall othe examine any person, whome they haue cause to suspect to haue dealt lewdly about any writte, returne, entrie of rule, & such like matters. By the statute of inquisitiō¹ vpon Coroners, the enquirors shall make the Bailiffes sweare that they shall conceale nothing: no, though it be penall to them. Masters of shippes are to bee put to answer on their othes, vpon the statute of money. 9. Edw. 3. c. 9. Whether they haue committed any fraude. So likewise, they that are charged vpon the statute² of liueries, must answer the bill vpon their othe, though the matter be penall. The same is apparant by the statute of wines. 24. H. 8. c. 2. of banckrupts. 34. H. 8. c. 4. by the statute of supremacie: by the statute of Fugitiues. 13. Eliz. c. 3.

Answer.

¹ Stat. de Exon. de Inquisit. super Coronat.

² 8. Edw. 4. c. 3.

In appeales at the Common lawe, the defendant before battell is driuen to³ sweare. A Iuror departing from his companie, was examined on his othe, whether he had talked with the defendant. yet if he had confessed it, the same had bene penall. M. 34. Edw. 3. fol. 3. In an action of formedon, couin being found by othe in the defendant, hee was punished by the Iudges discretion. T. 7. H. 4. fol. 19.

³ Stanf. Pleas of the crowne. lib. 3. c. 14.

The othe of supremacie may be giuen⁴ *Ex officio* by any⁵ 5. El. 1. c. 1.

Ordinarie to a Clarke; the refusall whereof is verie penall. In the register, in the title, Consulation, diuers cases are founde, where the Iudges ecclesiasticall proceeding *ex officio* is allowed. Why then may not ecclesiasticall commissioners proceede *Ex officio*, and minister othes? For that which this accuser sayth, *that for matters of felonie, they examine men upon their othes*; is false. For with these cases they doe not meddle. If the articulatur can proue they doe, why doeth he not declare it, seeing he may thereby procure them that hurt, which he desireth.

Article 12.

No man shoulde be cited to a spirituall courte, to depose therein as witnesse. For this is extortion, and tort to the partie. Fitz. inst. off. p. 172. Cromp. 219.

Answer.

Neither is any cited *ad inrandum*, or to depose, but *ad testificandum*; which neither the author of the Articles, nor any else can deny to bee lawfull. For neither is this libeller, nor any man to bee credited without an othe. Somewhat this smatterer hath heard, but hee cannot cite it right. For both the Register, and *Fitzherbert* the author of this opinion doeth allowe othes in causes testamentarie, and matrimoniall. And it is the common practise, and euer was in all causes and courtes: And himselfe confesseth so much in the next accusation. But the obiection he cannot hit. When hee obiectioneth right, hee shall haue his answer more at full. Now it is sufficiēt to say, that which euery lawyer that knoweth any lawe, can tell him: that seeing by the lawes of England, many causes are heard in Ecclesiasticall courtes, which cannot bee decided without witnesses, the calling of witnesses is necessarie.

Article 13.

No Bishoppe ought to appoynt a man to appeare before him to take an othe ex Officio, sauing in matters of marriages and willes.

Answer.

Many wayes the ignorance of this man, that would gladly shewe his skill in lawe, appeareth. For wee say not in termes of lawe, that a man taketh an othe *ex Officio*; but that the Iudge proceeding sometime *Ex Officio*, sometime other-

otherwise, doeth minister an othe to the partie. Againe, the bishop doeth not appoynt men to appeare before him, but calleth them by proces of lawe. But these are but errors in termes, A grosser fault it is, that he mistaketh lawe. For not whatsoeuer *Fitzherbert* setteth downe, is lawe; in this case especially of prohibition. For nothing is more ordinarie, then to reuerse prohibitions by consultations. The meaning of the wordes of *Fitzherbert*, or rather of the Register, whence he drew his writte, was: That men should not bee called into ecclesiasticall courtes to confirme any contract concerning goods or chattels by othe: by which meanes, the ecclesiasticall court encroched vpon other courtes. One-ly causes Matrimoniall and Testamentarie in that case (for to other it cannot bee extended) were excepted. That in matter of Tithes, and other causes men answered vpon their othes, is euident; for that the ¹ Kings tenants as well as others, answered before Ordinaries, and were by them also excommunicate for their contumacie. In matters of Tithes, the ² contemners of the ecclesiasticall processe by statute are condemned, and may bee forced to obey. And in another statute it is decreed, That the ³ Ordinarie may conuent such, as withholde Tythes, according to to the lawes ecclesiasticall. Likewise the ecclesiasticall Iudge may by statute proceede against those that ⁴ violate the lawes concerning vniformitie of Common prayer. yea, *Fitzherbert* ⁵ graunteth, that an ecclesiasticall Iudge may exact a caution iuratorie, before he deliuer a man that is in prison, vpon the writte *De excommunicato capiendo*. False it is therefore, that this bolde and blinde bayarde sayth; That byshops boldlie presume against lawe. Nay, he and his companions boldly presume, both against lawe, and common humanitie. for both doe they runne into felonies and treasons, and also speake against lawes, and defend their doinges, and raile against others, that gently put them in minde of their faultes.

¹ Art Clerg.
Edw. 2. c. 12.

² 27. H. 8.

³ 32. H. 8.

⁴ Eliz. c. 2.

⁵ Nou. Nar-
tur. breu. fol.
63.

Article 14.

Morning and Euening prayer should be read euery day throughout the yeere, but are not.

Answer.

How knoweth hee, that Morning and Euening prayer is not said? If he had frequented Churches so diligently, as he ought to haue done, he might haue vnderstood the contrary. But where it is not said; I thinke he liketh vs not the worse for that. For no sort of men (I except not the Iesuites) doe more bitterly raile against our booke, and order of Common prayer, then his consorts doe. And yet this wil I proue, that the worst of those prayers are more Christianlike, then their extemporall prayers made of broken sighes and sentences for the most part, and full fraught with malice and other passions; To say nothing of confusion. But suppose prayers were not said euery day. let him shew where they are so commanded. For the Communion booke commandeth them not so peremptorily to be read, as the accuser auoweth, but alloweth the Curat to omit them, when he is lette either with priuate studie, or other necessary busines: which exception he hath quite forgotten, and left out, as for Prayers, they be in most places vsed, and would be more, if they were not by these contentious fellowes despised.

Article 15.

The Curate must tolle a Bell: yet doeth not he, but the Sexten.

Answer.

A bloudie fault; and great pitie that the Presbyterie with their bels and bables were not admitted (if for nothing else) yet to take order, that belles might bee tolled. The preface to the Communion booke, doeth onely will the Curate to doe it, or to appoynt one to doe it. And so it is in most places: And if he did it not, yet is he not in fault, but the parishioners, that against his wil, appoynt a Sexten that is not at his commandement. This Article tendeth (as all the practises of puritanes doe) to the disgrace of the Ministry, whom they would put to all base offices; and yet you my masters of the ministerie both see them, and suffer them to abuse you, and your function.

Article 16.

The people are to answere the Priest, and to say, Amen: Yet doeth the

the Clarke answered alone in most places.

If this Accuſer had good matter, he would not ſpare, that taketh ſuch paines to finde a knot in a ruſhe, & picketh quarrels where no cauſe is. For both it is falſe, which he ſaith, that the people answereth not; and were it true, yet is it not the biſhops or others fault, but the peoples that will not attend the prayers, and ſay Amen. Percaſe ſome are phantaſticall perſons, and condemne our forme of prayers: ſome are phrenetical and vnderſtand not: more fitte to be prayed for, then to pray.

Where there is ſinging, there the leſſons ſhould be ſung in a plaine tune, &c. Article 17.

Nothing doeth more diſpleaſe the puritans, then church-muſicke, and ſinging: yet this accuſer is offended with not ſinging, which he affirmeth to be no ſmall peccadillio. So neither ſinging nor ſaying pleaſeth them. What then is beſt for them? Forſooth, ſilence. That any doeth offend in this point, when hee is put to it, he will not be able to juſtifie.

The names of the Communicants before they receive, ſhould be ſignified to the Curate: yet this is not regarded in moſt places. Article 18.

That is not the Curats fault, but rather of thoſe, that ſhould ſignifie it, if any be. Let the Communicants therfore ſignifie their names. The curates (to pleaſe his maſhip) ſhall be alwayes readie to open their eares. which notwithstanding, will not make for the libellers aduantage. for if his name be brought, hee will be vndoubtedly repelled, for an vncharitable perſon, vnfit to communicate among Chriſtians,

Notorious lewd perſons be admitted to the Communion: yet ſhould the Curate repell ſuch. Article 19.

If they doe repell ſuch, as it is notorious: then is this libeller a notorious lyer, yea, a lyar and ſlaunderer in print. But hee percaſe counteth thoſe men notorious offenders, which any one ſuſpecteth. Which if it were true, then are

most puritans notorious lewde persons, that are commonly suspected for such; and not without cause. For further answer I say, that such as by sentence of the Iudge are pronounced culpable, which are in deepe notorious offenders, are repelled; and that to repell others, were a course full of disorder and iniustice. And lastly, that hereafter such notorious rayling puritans, as doe slander religion, shall bee better looked vnto, and be repelled, both from the Communion, and all honest mens societie, being enemies of learning, and scandales of religion.

Article 20.

The Minister shoulde vse the ornaments appointed by King Edward.

Answer.

And doeth he not so? If any doe otherwise, it is of the factious sorte, that deserueth punishment. But (saith the libeller) the Clarke doeth also weare a surplice, As if it followed, because the Clarke weareth a surplice; that the Minister doeth not. All like, as if a man should conclude, because *Giles Wiggington* hath some little witte, that this libeller hath none. The meaning of the lawe is, that such ornaments shall be vsed, as were appointed by king Edward, where other order should not be takē. For later lawes abridge the former. If then the accuser can shewe, that lawes are not herein obserued, he shall doe vs great fauour to name the offenders.

Article 21.

In Cathedrall Churches the Communion shoulde be ministred e-uery Sunday at the least.

Answer.

If often Communion be commendable, then is our Church to be preferred before that of *Geneua*, that communicates onely quarterly. Better therefore it were for malice to keepe silence, then to say that, which is nothing. Let him (if he can) detect those that are culpable.

Article 22.

The Godfathers doe not their duetie, neither doe Bishops vrge them.

Answer.

Let him shewe that Bishops may doe it by lawe, and then reprove them for not doing their duetie. If it be left to the
consci.

conscience of Godfathers, to doe their dueties, why should the Bishops be charged with other mens faultes? Forsooth, this libeller meaneth to lay all faultes on the Bishops backs, I would to God for my part, there were no faults, but in Bishops, so farre am I from enuying any mans puritie. But this puritie (I feare) is but hypocrisie. For many puritans mislike Godfathers: and are very impure in life and conuersation.

Bishops are commanded to confirme children, yet fewe doe it.

Article 23.

The puritans commonly deride Confirmation, albeit a most auncient and Christian ceremonie. This fellowe chargeth Bishops with a great fault for omitting it. How will these agree? Nay, how will this companion verifie his assertion being most vntrue? But if any bishops doe not confirme children, it is because certaine factious persons haue perswaded the people to refuse it, and that verie wickedlie, not onely fantasticaly.

Answer.

Curates doe not instruct seruants, and youth upon holydayes.

Article 24.

Causeles doeth this accuser barke against Curates, seeing he cannot charge any particuler. If he can, let him call him before his superiors. The exercise is good and godly; neither doeth any account it tyrannie to instruct the ignorant: But sure, great presumption it is, for yong puritans publicly to examine graue and discrete men, that know more then themselues, and indiscretion to vse examination, as the disciplinarians would haue it vsed.

Answer.

None should be admitted to the Communion that cannot say the Catechisme. Therefore Curates should examine communicants, and seclude them that be wanting in knowledge.

Article 25.

Can you shewe any Curates that haue not done their dutie herein? If you can; carrie them before the Ordinarie: they craue no fauour. In the meane while learne this lesson of me. Shewe not your cancred malice against good Ministers. There is none but liueth as well as puritans, nor any so base, that may of a Pettifogger, or Scriuano be contemned: nor

Answer.

any that is more ignorant in their Catechisme, then puritans: that neuer enter deeper, then the paraphrase of their Creede, and pater noster,

Article 16.

Banes should be asked three seuerall Sundayes in the open Church, yet the Bishops dispence with banes.

Answer.

In the booke it is Sundayes and Holy dayes: this is therefore his first error. The second is, that he misliketh dispensations. for both by law and customes of this Church, and for good causes are they granted. Neither doeth the affirmative without the negative in any lawe, take away a custome that may stand with the lawe: as in this case, The lawe will haue banes three seuerall dayes proclaymed. That no dispensation be graunted, the lawe hath not. Wherefore, seeing dispensations are confirmed by lawe, and not taken away by this Rubricke; let the accuser holde his peace, and cease to proclaime his owne follie, and to worke the bane of his cause; and finally, while he would shewe skil in lawe, to proue himselfe deuoyde of lawe, and reason.

Article 17.

The partie presented to the Bishop, should weare a plaine Albe: yet this garment is not vsed.

Answer.

In the booke of ordering Ministers there is no such garment appointed. And if it were, yet were it no such disorder, as this charitable man maketh it, that would haue the bishops thrust out of their liuings, yea out of the Church, for committing it. But suppose Deacons should weare an Albe; how is the neglect of it ascribed to Bishops, and not rather to the partie that knoweth not his duetie, or of new curiositie, that can abide none apparell, but of the *Geneuian* fashion? would this libeller were a yellow core, it would become him better then an Albe.

Article 18.

The Deacon by part of his office, ought to search for the poore, sicke, and impotent of the parish, and intimate their estates to the Curate. But now the office is accompted mere spirituall.

Answer.

He ought onelie to doe it, where he is so appointed. which clause this accuser meaning no good trueth, cautelously left

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out. That he should only attend the poore and sick, cannot bee prooued eyther by scriptures or fathers. In *Geneua* the Deaconship is turned into a vaine office of Proctorship for the poore, managed by men of base trades. Why then doth he accuse others, that is guilty himselfe?

The Deacon must reade the Gospell in the day of his ordination, putting on a tunicle: but this vesture is scarcely knownen at this day. Article. 29.

The booke of ordeyning of ministers, printed *Anno 1559.* Answer. and confirmed by parliament, hath no such matter. And therefore vnlesse hee can shewe his author for his tunicle, let him weare the tunicle together with his foure elbowed iacket himselfe. But admit some piece of apparell were omitted in deacons: yet is the fault not great, nor to bee ascribed to any, but to those that commit the same.

The bishops at the ordination of ministers, do tell them the weight of their charges, and what labour they ought to take: yet most of them are neuer residents. Article. 30.

If they labour not as they shoulde doe, let them bee punished. If they bee absent for lawfull causes, and at times: why are they more blamed then the skittish puritanes, that notwithstanding their charge, are like malecontent and mutinous persons still wandring vp and downe to places where they haue nought to doe, rather to trouble the state, then to edifie the Church: and rather hinder others labours by spreading of false doctrine, and nouelties, then helpe by teaching faith and maners? Answer.

The lawe would haue them giue themselves to their function: yet many attend ciuill and worldly affaires. Article. 31.

If ciuill and ecclesiasticall causes bee so repugnant, as is pretended, why doe ministers gouerne their families or colleges: or what hath *T. Cartw.* to meddle with the charge of his hospitall, a matter meerly ciuill, and wherein he hath done more good, then in ecclesiasticall causes? For he hath bestirred himselfe so, that what by rewardes, what by annales of his hospitall, Answer.

hospitall, and pinching those that are committed to his charge, and what by buying and selling, the man is growen fatte and rich. Of his ministry wee see no fruit, but contention and trouble. Percase hee will say hee is no minister. But why then doth hee meddle with the ministers office? like to him are his followers, men verie stirring and busie in all matters of state, howsoever this man misliketh them therein. Contrariwise for subiectes to execute the commaundementes of the prince, and to see their ministerie also discharged, is commendable, and not onely allowable. The lawes of God and the lande allowe it. Wherefore then shoulde hee maliciously condemne that, which hee cannot disprooue?

Article. 32.

Bishops only excommunicate and suspend: yet by the booke of ordering ministers every one is to administer the discipline of Christ. And Christ hath given the keyes equally.

Answer.

The lawe is misreported and misinterpreted. For the words are, that ministers shoulde minister discipline as this Church hath receiued it: and so they doe. And by discipline is admonition publicke, and priuate, and preaching, and executing the ordinaries sentence, vnderstoode. That every minister by law shoulde excommunicate or suspend others equally, cannot bee prooued. the keyes were giuen to the Church: yet euery one doth not vse them equally. the priests of the lawe were: all partakers of the priesthoode: yet might not all, doe all things. All were not Iudges, nor gouernours, nor looked to all things. But these fellows would haue an Anabaptistical equality brought in: that such as haue no merite to mount higher, may bring downe others lower, & make them equall to themselues. Both the wordes and practise of the lawe make against the libeller. besides all this, it would bee infinitely inconuenient and absurde, if such armes, as the Church censures, were put in euery cockebrayned fellows handling; and such odde fellows, as the puritanes are, made gouernours of the Church, equall with the best.

The Bishops Chapplaynes, and Doctors, vse not priuate admonition in their Cures. Article. 33.

Many things the libeller affirmeth, and prooueth nothing: So that it should seeme, he taketh pleasure in talking, and calumniating. But suppose they did not folow the course of puritanes in priuate and parlour admonitions, & paraphrases: is not the office of the minister publike, & not priuate? must (he as these puritanes do) creepe into womens closets, or must he put his secte vnder euery marchant mans table, & their shriue them? such admonitions, as the office of ministers and lawes require, they do vse. The course of puritanes in their priuate exercises and paraphrases, they take neither to be commaunded by law, nor to bee suffred in reason for the manifold abuses of it, and much more credite were it for the puritanes, if they had neuer begunne their table sermons, nor secrete conference, and catechizations of other mens wiues, and daughters.

The bishops admit not preachers to preach without licence, and make vnpreaching ministers, and ordaine ministers without Cure, and preach out of Apocrypha against law. Article. 34.

Neither doe they herein against lawe, nor reason. For albe it ministers haue by their ordination power to announce the worde by reading: yet is it not fitte, that euery one should expound it, but such as haue learning: & that is known by long experience, and must bee testified by writing. And good it were that many that take vpon them to preach, were turned backe to read. For they marre and abuse many good texts of scripture, & fill the peoples eares with nouelties, and want discretion to profit them either in faith or maners. Secondly, they make none vnpreaching ministers, but giue euerie one licence to announce the worde by reading, and priuate admonition, albeit not by publique exposition. Neyther (if they shoulde make ministers such onely as can breake the worde aright and are answerable to Saint Pauls rules) should they finde many such among the con-

ceited sort, that preach not Gods word, but their owne conceits. Thirdly, it is not vnfit nor against lawe, that men learned should be made ministers, though presently they haue no cures: nor doth the booke of making ministers condemne it. For albeit the word congregation bee vsed: yet nameth it no speciall congregation. Finally it is not vsuall for any to chuse textes out of the Apocryphall Scriptures. yet if any do so, the offence is not great, seeing for maners they are to bee read, and hauing confirmation of Canonicall scriptures, are to be receiued. That which he saith of bishops, that they take away letters of orders vpon euery supposed misdemeanour, is vntrue. For neither doe they offer it, nor may they doe it by lawe.

Article. 35. *Seldome doe bishops at the time of their consecration vse Coopes and neuer vse they pastorall staues: yet both required by law.*

Answer. Neyther Coopes nor pastorall staues are by lawe enioyned to bee vsed. The booke of ordering ministers printed Anno 1559. shall witnesse with mee that I say trueth. yet in mine opinion, it were not amisse to vse pastorall staues, if for none other cause, yet to beate such barking curres as this, which without reason baull at lawes and antiquitie: (and if they had might) would bite also.

Article. 36. *There be many Churches in England, that haue scarce had 12. sermons in 12. yeeres.*

Answer. The cause why in some places, there are so fewe sermons preached is, for that the liuing is appropriated, and that such as haue it, haue no care of mens soules. let the articulator therefore article against them, and not impute their faultes to the cleargie, that cannot doe withall. if among the cleargie hee knoweth any that doe not their duetie, or that preach not their sermons, why doth he not name them, that order may be taken, that sermons may be had according to lawe? If he can name none, why doth he mention many? And if there be any default herein, why doth hee deface the state, and not rather blame those greedie persons, that by taking away the

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livings of Churches, are cause of this disorder? Wherefore to answer him, let him this vnderstand, that there are mo learned Preachers, and *Sermons* preached in England (*proportion for proportion*) then eyther in Fraunce, or Scotland; howsoeuer the same seeme to him to be reformed.

Erasmus paraphrasis should be had in all Churches.

Article 37.

Accuse them that haue it not. There is none more guilty, then the *brother-hoode* of *Puritans*, that condemne all good learning, and care for none other bookes, then the *Geneua Bible*, *Caluins* institutions, and *Bezaes* Comments: excepting alwayes *Caluins* Commentaries on *Iob*, and *Martyrs* common places in English; Nor haue other cause to like of *Erasmus* paraphrasis, but that now all their exercises bee nothing but light and fantastickall paraphrases: except alwayes some heauie and malicious inuectiues.

Answer.

Ecclesiasticall persons shoulde not play at vnlawfull games, as Cardes, Dice, &c. but they offende more, then any other that pretend conformitie.

Article 38.

I tolde you, that this Reuellors purpose was rather to rayle, then amend any matter. Why doth he not name these gamesters and vnlawfull games? and proue that such games as are vsed, are vnlawfull? nay when he hath proued what hee can, I doe thinke that honest recreations that some ministers vse, are more commendable, then the sabothes exercises of most puritans.

Answer.

Non residents should distribute the 40. part of their living to the poore of the parish, which they doe not. Likewise they should maintayne schollers.

Article. 39.

I knowe none more hard-hearted, then the *Puritans*: nor more bountifull then the Clergie to the poore. As for *Pettifoggers*, and *Scribes*, they do skinne the poore, and helpe them not. Nothing therefore could bee more vnseasonable, then this accusation. For albeit the Ministerie (by the spoyles of *Patrons* and *griedie Gullies*, and wicked vexations of *Puritans*) are almost now the poorest of the parish: yet are they not

Answer.

sparing to giue euery man according to his facultie. And as for some bishops, it shalbe prooued, that they are as ready to maintayne and preferre learned schollers, as the *Puritans* to impouerish them and spoyle them: the rest let them answer for themselues. Blush therefore you *sacrilegious Church-robbing Puritans* the ruinors of all churches, and shame to talke of liberalitie, and mayntenance of schollers. For by your barking, and by your spoyles, and by your crying out against the reward of learning, and by that pouertie and contempt, you haue brought the ministerie into: you haue almost ouerthrowen the ministry in *Scotland*, religion in *France*, & would ouerthrow both in *England*. And what should we els looke for at their hands, seeing in racking of Rents, extermite of dealing, vsurie, and vnlawfull practises of gaine, and *Turkish* and inhumane crueltie, diuers of these zelatours of puritanisme passe both *Turkes* and *Heathen*?

Article. 40.

The Queenes Iniunctions are not read quarterly, as they should be.

Answer.

They are read as oft as neede is: and if any negligence bee committed, it is by the *Puritans*, that bring all lawes into contempt: sure they are contemned more by them, then any. for they openly impugne them, not onely neglect them. But admit they should be read very often: yet would not the *Puritans* heare them, nor obey them. For they neyther respect her Maiestie nor her lawes; but in despite of both, seeke to establish a new gouernment, and newe Iniunctions. for which if they doe not shortly reforme themselues, there will bee such penance inioyned them, that they will better remember Iniunctions all their life long.

Article. 41.

Holy-dayes should bee spent in godly exercises. Bishops bestowe them prophanely in playing at Bowles, hearing Comedies, and Tragedies.

Answer.

Very vnlkely it is, that such fellows as this, should teach Bishops how to bestowe their time, seeing there is none bestoweth these dayes worse, then the *hypocriticall secte* of *Puritans*, that in slaundering, factious declayming against lawes and

and *gouvernours*, in *chambring* and *chambring exercifes*, yea and in worfe matters doe beftowe their time in corners, doing things which you may conceiue, I may not vtter: and therefore thefe are prophane and wicked *hypocrites*. As for honeft exercifes, why may they not be vfed vpon holy dayes, fo it be not in times of feruing God? Wherefore vnleffe the Libeller can shew both better law and reason againft bowles and other exercifes well vfed, and shewe caufe why *Tragedies* may not be heard; his accusation will rather feeme to proceede from malice, then other caufe: and hee will bee taken for a *prophane sencelefse hypocrite*, that is offended with bowling, and exercifes of learning, and yet thinketh it lawfull to make an occupation of lying, flaundering, and defacing of good men; and alloweth the secreete and parlour conferences of his fellowe *Puritans*, and many other bad practises: whereof some are comicall, others tragicall; and moft of their discipline fabulous, or a comicall fable.

The Bishops be not without superstitious paintings in their chambers; and diuers Churches haue them not abolished. Article. 42.

To condemne the historicall and ciuill vfe of painting, is vnciuill, and sauoureth of *Turcisme*. Other vses of painting, bishops haue none: neyther is there now any superstitious vfe of payntings in church wyndowes; but those that are (if they displease the Libeller) he may haue downe at pleasure, when hee will set newe glasse in their place. The paintings that doe more harme, are in apparell, ruffes; yea womens faces, and their furniture: wherein I would the *Puritans* did not commit both *Idolatrie* and other follie. Wherefore seeing he is in the way (as hee pretendeth) of Reformation, let these abuses of pricking pride, & painting be removed: & also let him take heede that superstitiously he doe not make an idol of his discipline, that both out of church and common wealth is to be abolished.

The wines of Ministers and Deacons should bee allowed by the Ordinary, and two Iustices of peace. But many forward Chapleyns re- Article 43.

garde not this.

Answer.

In disdain this scornful wretch calleth learned *Ministers*, *Chapleins*, sparing neyther his aduersaries, nor friends the *Puritans*, that are for the most part trencher *Chapleins*: nor others. But what such lewde mouthed Libellers and enemies of the *Ministerie* professed doe call honest men, it is not materiall. I know none marieth, but such as haue allowance sufficient of their choyce. If they haue not, let the offenders be corrected, and not innocents be disgraced for others offence, why they should be called forward, I know not; seing none is so forward in marrying as the *Puritan* sort: of whom I knowe none that hath the gift of continencie. but would they cease to disgrace others, I could for my part be content they should vse their libertie. prouided alwayes, they make not too great post haste, nor without regard and consideration of their future wiues qualities, leape into sodaine milchiete.

Article 44.

The clergie people goe not in their habits, and square caps.

Answer.

What do the *Puritan* people? forsooth they square it out for the most part in new fashions & conceited apparel, & are all clad in *Satin*, & *veluet*, and costly apparel, and braue it like people of a new gouernment. some for humiliry sake goe in flat caps: others go like clownes in russet clokes, & well they may: for their religion is a russet religion good for none but russet cotes, & such as fauour populer gouernment, & sitting none but our rusticall platformers, whose maners are rude & vnciuill. that men go not more orderly, this faction is cause, which maketh warre against the ministry, and by all meanes seeketh to offer them scorne.

Article 45.

The Bishops Officials allow none to be absent from their owne parish, vnesse they will pay a Marke for a licence: yet law suffreth men to heare Sermons other where.

Answer.

Law restraineth men to their owne parishes, but lust would be gadding abroad to see what is done elsewhere. for which if any officials graunt licence contrary to lawe, there is law to correct them. but why this man should be so offended with

raking

taking money for licēces, I see no cause, seing his deare friends, yea himsele too, vseth more taking then giuing; and considering that *Pettifoggers*, & *Scruanoes*, such as the authors of this booke seeme to be, liue by taking, & take without licence, and contrary both to licence, and law, and haue wonne more by taking, then others by long seruice: and for all their pretended hypocrisie will neither spend nor loose commoditie for their *puritane* cause. why men should not be suffered to frequent factious sermons, there be diuers causes: it is the way to faction, sectes, heresie, and tumults, and diuers other disorders.

Songs in Churches should be distinct, and modest.

Article 46.

So they are: but the Libellers eares were percase so out of tune, that he could not iudge, when he heard them. for how can his eares be in tune, whose wits not long since were in so great discord? In the opinion of all wise men that can iudge, and haue skill, our church musicke is distinct, modest and graue, and farre passing the discordant tunes of *Puritans*.

None of the Queenes subiectes should call one another hereticke, nor scismaticke: but we are so called, and Puritans too, by certaine Libellers.

Article 47.

Yea and that very iustly too, if you mayntaine this Libell, and your newe booke of prayers, and their most seditious and hereticall pamphlets of *T.C.* and others: neither are they Libellers in so calling you: nor doeth the Iniunction protect factious mates, but quiet and good subiects, such as you will not shew your selues to be, rayling and reuelling at Lawes, and gouernours in most shamefull sort. and therefore disdayne not to be called by your names; nor wonder, if you be beaten with your owne weapons.

Answer.

Bishops and their Chapleyns seldome make a legge at the name of Iesus, vnlesse it be at the reading of the Gospell, nor remember Iesus, but when they lustily sweare by Iesus.

Article 48.

All *Puritans* vtterly mislike this bowing at the name of Iesus: this semypuritan, and demychristian misliketh the omitting

Answer.

ting

ting of it, therein condemning all his companions, as contumacious lawbreakers, and not proving any matter against his aduersaries, for which both one and other haue cause to mislike him: but especially for lying, and slaundering of Gouvernours: wherein hee sheweth his full malice, and choler in charging them, and want of matter in convincing them. The Puritanes speake nothing without protesting: doe you not call that swearing? no, it is forswearing, for when they protest deepest, then commonly they dissemble most, and performe least: yea, many of these seeme with the Priscilianites to haue litle regarde of othes, as appeareth by their examinations. If he knew any of his aduersaries, that offender in swearing, I doubt not, but they should heare it.

Article 49.

The Queene accompteth them good subiectes that acknowledge her Maiestie to be sole supreme gouernour ouer all her subiect in all her Dominions. The Bishops doe not.

Answer.

If nothing els were to bee respected, but this poynt: then were all Iesuites, and Seminarie men, and other traytors good subiectes. for they doubt not to giue her the title of sole supreme Gouvernour ouer all her subiects: but that she hath authoritie to make Ecclesiasticall lawes, and iudge in Ecclesiasticall causes, and to appoynt Iudges, and officers to iudge therein, & that no other hath power ouer her Maiestie, neither Iesuites nor Puritans will confesse. therefore vnlesse they acknowledge all the rest of her Maiesties prerogatiues, and shewe more obedience to Lawes, then hitherto they haue done: they can not so easily scape the notes of disloyaltie.

Article 50.

The Bishops haue not punished offenders against Iniunctions, but are onely carefull to urge subscriptions, othes ex officio, &c.

Answer.

If the Bishops haue not done their dueties, why doest not thou make thy selfe party, and accuse them? they stand vpon their defence: why comcest thou not forth in thy likeness to charge them? In the meane while take this answer, that

that offences must first bee knowen, and then punished: and secondly, that bishops haue suffered as fewe knowen offences to escape vnpunished, as any other officers: thirdly, that those offences that tend to the ouerthrowe of the State, are most narrowly looked vnto: and lastly, that he is a lewde mate, that doeth picke quarrels with others for not executing those Lawes, which himselfe doeth mislike. As concerning their vrging of subscriptions, and conuening those that are disobedient to law, the Bishops haue offended in nothing more, then that they haue not bene more peremptoric in vrging them. no State nor Gouvernours euer suffered such notorious disloyaltie so long vnpunished.

Bishops take extraordinarily for licences to preache contrarie to their owne aduertisements: of licentious Preachers no licence is required. Article 51.

Shewe who they be that take so much, and who these licentious Preachers bee, or els men will esteeme thee a licentious Libeller. for mine owne part, I knowe none more licentious then thy selfe, and thy confortes which with all impunitie speake against Lawes, and take to themselves libertie both to liue, and beleue as they list: and for taking, surpasse all other takers, taking both from Church and Schooles what they can: yea, sparing neyther friende, nor other: men of wonderfull large conscience. Answer.

Many are absent from their cures without lawfull cause. Article 52.

Shewe that, and thou mayest haue remedie against them: yet take heede thou dealest not too curiously in this matter, for feare thou offendest thy deare brethren of the fraternitie of deformation. for none doe more willingly discontinue from their charge, nor haue lesse or more vn sufficient cause. Others haue lawfull businesse: these to alter Lawes, to stirre the people, and mayntayne faction, wander about, and neyther regarde flocke, nor Lawe. Answer.

Article. 53. *Ecclesiasticall persons doe not weare in iourneying clokes with sleeces.*

Answer. The reason of this is, the contempt of *Puritans*, and scorne offered by them to those that obey lawes. for while they breake lawes themselues, and scorne obedience in others, these poynts haue bene slackely obserued of diuers. yet is not the matter capitall: for when ministers go most vndecently, yet do they not come neere the flatcapped, short cloked, russet clothed, and lether breeched broode of *Puritans*.

Article. 54. *The householde seruants of Bishops bee not of so good life, as they should bee.*

Answer. No more is this Libeller. but in what house can you finde them more orderly? nay, can you finde them in any *Puritans* house so orderly? this I dare auowe, that the lewdest man they keepe, is more honest and discreete then this Libeller or his companions, and hath more gouernment of his tongue, and actions.

Article 55. *Bishops make blinde Porters, and outworne seruitors Ministers.*

Answer. They that did it, are therefore greatly too blame, and therefore spare them not, but let their names bee knowen. more blinde and absurde fellowes then the Disciplinarian sort, I knowe none. they are also both outvorne and forlorne: for all the stuffe they had deuised in seruice of the consistorie, is now past and spent, and *T. C.* liueth now all by speculatio: except alwayes some litle gaine he hath by interest.

Article 56. *Bishops should not as they doe graunt Presentations, and Aduousons of liuings before they be voyde.*

Answer. The man towards his ende, speaketh ouer. Hee sayth, Bishops graunt Presentations; yet was it neuer heard, that a bishop as ordinary did graunt a presentation: for that is the office of the patron to the bishop, not the bishop to the clarke. neyther doe bishops graunt aduousons of Churches, for they are nought in law, if they graunt them. I would to God that all men did so well bestowe their liuings as some bishops doe, and I thinke that the worst bishop doth bestowe

bestow them better, then many of the best lay patrons, if they did their dutie herein, there would not bee such buying and selling, as there is, and so many learned men destitute of liuing, it is not the bishops, but the wicked generation of sacrilegious Churchrobbers, that sell aduowsons, yea and woulde sell both Church and soyle if they might, and next to these such petit incornistibular pettifoggers, and scriuanoes, as the chiefe authors of this libel, that must haue bribes vnder hand to helpe to procure the patrons fauour.

The booke of Martyrs shoulde bee in Cathedrall Churches, and in Deanes and in prebendaries houses, but is not. Article. 37.

How knowe you that it is not? were you euer there? if you were it shoulde seeme you came thither for a spie, most vnworthie to treade in their houses, or Cathedrall Churches, which you woulde so willingly spoyle. but were you there or not, first it is false, that by lawe the booke of Martyrs shoulde bee in such houses: for the Canons are not law, next, that they are not there: lastly that they shoulde bee in Churches.

Chancellors, Commissaries, and Officials, shoulde be learned in the ecclesiasticall lawe: but are utterly ignorant. Article. 38.

I knowe none, but may put both thee, and thy consorts to schoole, howsoeuer you take your selues to bee learned, but if any vnlearned Officiall come in place without merite, I will giue thee leaue to sease vpon him, and take him out of his place, to bee thy companion. two fellowes vtterly ignorant together.

Vnpredaching Prelates shoulde teach children to write, &c. but yet the parishioners are burthened to finde schoolmasters for these matters. Article. 39.

The office of inferiour curates which hee aymeth at, God wor, is a simple prelatie, such prelatie God send to this libeller, and his companions, and yet woulde it bee too good for him, being neither so honest, nor learned as most of them. the fault he noteth in them is, that they teach not children: yet are

none bound to teach without wages. neyther can hee charge any for not teaching; that hath competent wages allowed what wise man then was he, to alledge that for law, wherein is neyther law, nor trueth?

Article. 60.

The election of Churchwardens by the ministers, and people, and the admonitions which they should use to offenders are omitted, and accounted seditious, and schismaticall.

Answer.

All this is false. for the election continueth, & I doubt not But they do admonish vnruely persons, & I knowe none that accounteth it seditious, or schismaticall. but if you suppose to proue your populer election of bishops, & ministers, & your supposed aldermen, & their office by the election of churchwardens: you are wide as farre east and west. the churchwardens deale with small matters, these iniambe vpon the prince, and treade downe his authoritie: those are vnder the minister, these controll both ministers and princes, and therefore to elect such would bee seditious and schismaticall, of which he that sheweth himselfe a patron, is both a schismaticall and seditious person.

Article. 61.

The bishops keepe non residents about them, though by law confessed to be odious, and spoken against in parliament.

Answer.

Many things haue bene spoken of, & against in parliament which haue bene there reiectet as ridiculous, among other things the new puritane communion booke & consistoriall discipline. as for nonresidence there is no reason it should be spoken against, seeing no man defendeth it, and lawes already made condemne it, for nonresidence is simplie condemned, and onely for certaine causes allowed. for the priestes of the law had their turnes, and the bishops of old time had their times of absence, and the disciplinarians dispense also with long absence of their ministers. why shoulde they then bee so rigorous to other, being so liberall to themselues, or why doe they accuse bishops for mayntayning nonresidence, that maintaine it not, liking it in themselues that offende in it?

¶ No man should haue above two benefices at once: not distant above 20. miles, yet many haue 3, or 4, scattered an hundred miles one from another. Article. 61.

¶ First that is false in the Queenes chapplaines, for they may haue more then two, if it please her Maiestie to bestow them vpon them. neyther doe I require any greater argument of the libellers disloyaltie towards her her Maiestie, then this, that he is still pinching at her prerogatiue. secondly It is not to bee proued, that others haue more benefices then two with curtes: if they haue, all but those they can keepe, doe fall voyde: lastly all this which hee draweth out of the Canons is to no purpose, for they haue no strength of lawe. Answer.

¶ The bishops say that excommunication is a ciuill discommuning, and company with excommunicate persons, and if our Prelates were examined: then were they excommunicate, and worse then publicanes and heathen. Article 63.

¶ Marke I pray you the intemperate furie of this base companion, the honourable Prelates of this land, reuerend for their learning, yeeres, grauitie & place, this crablouse swaine, and paltrie parasite, scornefully calleth iolly prelates, and in changing scorne into rayling calleth them excommunicate persons, yea worse then publicanes and heathen: into such a line of madness is he entred, looke Allen, Stapleton, & other mayors discourtes, yet that you had no such scornfull, nor spitefull speeches, and wherefore doth hee so reuile them? forsooth because he supposeth they offend against canons, yet neyther doth he prooue any fault, nor can he shew that those canons are lawe, nor can hee excuse his comments, that not only concern the excommunications: nor finally can hee disproue the common distinction of excommunication; that one sort is ecclesiasticall the other ciuill, and therefore as furious for rayling without learning or wits, against men of so high place; hee is rather to bee corrected in Bedlem then refuted with long discourse: I doubt not but the consistorie it selfe will bee ashamed of such kinde of dealing.

dealings, and all other reasonable men condemne it. why the disciplinarians should talke of excommunication, there is no reason. for they commit the same into prophane mens hands, and are therein worse then heathen, that neuer committed such holy things into so base mens hands.

This is the summe of all those articles, that he hath gathered against the ecclesiasticall state: a playne iustification of all their doings. for if he could haue said more against them, he would not haue spared: and charging them with matters eyther tryfling, or else vutterly vntrue, declareth them to bee innocent, himselfe to bee malicious, and furious. for the summe of all is nothing but a packe of vnruely wordes, as Chapplaines, Priestes, iolly Prelates, hangbyes, excommunicato persons, worse then beathen and publicanes, licentious preachers, extortioners, bribers and such like. I could requite him with better, and as bitter tearmes: but to answer his articles; I will onely returne him but these few articles following.

A BRIEFVE COLLECTION OF DIVERS hereticall, and strange opinions, lewde practises, and fond fancies and deuices, which certaine factious, and light headed persons haue lately coloured, and aduanced with glorious titles of discipline, and reformation, set downe in forme of Articles.

TH CARROLL doth call the rules of his new discipline, the **AXIOMES** or **IRREFRAGABLE PRINCIPLES** of heavenly Canaan, whereby he would insinuate, that they are without doubt to be received, and yet can he not shewe, that euer the eldership, or the strange gouernement thereof was practised in Canaan, vntil it were of the **COMUNITIES**, and **ENEMIES** of Gods Church, to the rooting out of Gods people, and ouerthrow of the Ministerie.

The disciplinarians holde, that the gouernement of the Eldership

In the Epistle
before Fen-
ners new di-
uinitie.

ship is Christes kingdome, and that they, that withstand the same, are enemies to Christ, to religion, and to Christes kingdome; and apply these wordes of the Gospel; Those mine enemies that would not haue me to reigne ouer them, bring them, and slay them before me. A plaine euidence, that if with entreatie they cannot, they meane by warres and bloodshed to set up their kingdome. and yet William Hacket their first king, was crowned in Cheape-side with an hempen coronet, or diademe: and his garde, and followers dispersed.

Th. Carrw.
in a certeine
table.

3 They teach, That the Church is onely to be gouerned by Christes lawes, And yet are they not able to bring forth one worde for prooffe of their consistorie, or the partes of it, or the office of euery seuerall part of it, or any part of their gouernement: and seeme to rest onely upon mens bare conceites, and fancies, contrarie both to scriptures, equitie, and reason.

4 They professe great loyaltie in termes: yet doubt not to say, that the simplest Consistorie they haue, may giue the prince to Satan.

5 They take from the magistrate, power to make ecclesiasticall lawes for the gouernement of the Church: and yet at Geneva they haue no ecclesiasticall lawes, but made by the magistrates.

6 That authoritie which statutes giue to princes, In calling and assembling of Synodes, and appointing ecclesiasticall commissioners to heare, and determine Ecclesiasticall matters, and appointing delegates to repress wrongs offered in Ecclesiasticall courtes, they take away and deny the supremacie of the prince very presumptuously.

7 They overthrowe her Maiesties reuenues: and dissolve the office of first frutes and tenthes.

8 They deny her all authoritie to nominate Bishops, or other officers of the Church: and utterly take away her right of patronage in all ecclesiasticall linings.

9 They dissolve all ecclesiasticall lawes, and all those statutes, that concerne Bishops, or other Ministers, or other ecclesiastical linings, person, or cause.

10 They deny that her Maiestie may pardon, and graunt life to

Fenneri Theologia.

any offender, whome Moses lawe commande th to be put to death, and binde her to the obseruance of Moses iudiciall lawes.

11 They seeke the ruine and ouerthrowe of the whole ecclesiasticall state, by abasing the Ministers of the Church beneath all others, and laying infinite burthens vpon them, and taking away all rewardes of learning, a point, which you my masters of the vniuersitie are to looke vnto.

12 By ouerthrowing of the Ecclesiasticall state, they doe deprive her Maiestie of many thousands of able and most willing men. to doe her seruice, and make way to inward faction, and forreine inuasion, and all manner of heresies, and disorders.

Th Cartw. reply.

13 They teach, that all magistrates are to lick the dust of the feete of the Eldership,

14 They goe about to bring in forreine lawes, and forreine and vnconth gouerners.

Fenners holy diuinitie.

15 They teach that in euery common wealth well gouerned, there ought some magistrates to be appointed, to depose and ouerrule princes, if they doe not their dueties, like the Spartain Ephori.

Ibidem.

16 They teach that the prince may not determine any weightie matter, without the assemblee of the estates.

Martin.

17 They deprave the ecclesiasticall gouernement, and religion of this Church, and call it antichristian, and diuellsb.

Martin, and Epist. before reformatio enim.

18 They traduce the publike iustice of this land, and rayle against the parliament, the lordes, the Iudges, the lawes, and in bassouer mislikesb them.

Thar is euident by their subscriptions.

19 They haue confederated themselves together for the ouerthrowing of the ecclesiasticall lawes, and state, and haue subscribed certeine articles for the establishment of new lawes, and gouernement.

20 Cartwright, and Egerton, seeme to haue had intelligence with Copinger, one of Hackets prophess: as for Wigginton, it is apparant that he was a chiefe stirrer in that action.

21 Being couented for diuers misdemeanors, they refuse the ordinarie trials of lawe.

22 In the Vniuersities, by bringing in the studie of Ramus writings,

tingen, a man ignorant in Logicke, and artes, and fantaſticall in all actions, they haue almoſt ouerthrowen all good learning; by ſtudying of naked comments, all ſound diuiniſie.

23 In liuing lewdly themſelues, and by infamous libels diſgracing the Miniſterie, they haue giuen aduantage to the enemie, and brought religion into contempt.

Reſciſ in mi-
niſtromach.
& Sanderus
de ſchiſmate
& Roſſeus.

24 They are but made instruments by ſome perſons to worke the ſpoile of the Church, whereof they are like to haue ſmall part.

25 In all places where this diſcipline is ſetled, they haue ouerthrowen the authoritie of the Magiſtrate, the ſtate of the Church, and vniuerſities.

26 Nay by diuers ſtrange poſitions, they goe about to bring in diuers hereſies.

27 They haue in their lewde ¹ paraphraſe vpon the Creede, taken out two Articles out of the Creede, viz. that of Chriſtes buriall, and of his deſcending into hell, and haue added a new Article of their diſcipline.

In their new
Communion
booke.

28 They affirme, that hatred as it is an attribute in God, is the eſſence of God: and teach very badly, of the eſſence and perſons.

² Fenner The-
olog. lib. 1.

29 Penric holdeth, that Chriſt Ieſus is the worde preached.

30 They doe generally beleene, that the worde read, is but a dead letter, and no ordinarie meanes to engender faith: which is the opinion of the 3 papiftes.

31 Martin doeth ſcoffe at the holy virgine Saint Mary, and Saint Peter, and calleth them Sir Peter, and Sir Mary in ſcorne. and maketh a ſcoffe both at gouernement, and religion.

³ Bozius in
libr. de ſignis
eccleſiaſt.

32 In leauing the ſtudie of fathers and ancient writers, and ſchoole learning, all the puritans are become verbal diuines, without ſound matter.

33 To prooue their deuifes, they haue offered great violence to the holy ſcriptures, expounding them contrary both to ancient fathers, and hiſtories, and common reaſon: as namely their common places alledged out of the 18. of Matthew 1. Timothie 5. Romaine 12. 1. Corinthisians 12. Ephesians 4. vpon the falſe in-
terpre-

interpretation of nine or ten places all their deuises doe stand.

34 Themselues doe not agree, either in the exposition of these places, or in their rules concerning the presbyterie.

35 Some interpret the wordes, If thy brother offend against thee, of priuate offences, others of publike offences, others of both.

36 The Elders that are mentioned in the 14 of the Actes some expound Ministers of the word, others churchaldermen.

37 The wordes Dic Ecclesiaz, some expound of the Consistorie, others of the Synode, others of the conferences.

38 Themselues confesse, that they are not resolu'd in many pointes. I haue set downe otherwhere infinite matters, which they can neuer resolu'e.

39 Themselues doe many wayes contrary to their discipline. they condemne the reading of Apocrypha in the Church, yet doe they allowe verball sermons, wherein often times fall out strange doctrines, and many vcharitable discourses. which no man is so senselesse, I thinke, as to preferre before the Apocryphall scriptures, that are read in the Church. They interpret Caluins Catechisme, and other such like bookes, which they cannot shewe to be canonically.

40 They teach, that he that heareth not the Church, is to be accounted a heathen, and publican, yet doe they not so accept him, when the Synode iudgeth contrarie to the Consistorie.

41 They say, that emery Church hath equall right, yet the parishes about Geneva haue no Consistories, nor doctores, nor execution of discipline, but depend vpon them of the citie of Geneva.

42 They say, no man may enter the ministerie without lawfull calling: yet haue Th. C. and Wat. Tr. and diuers of this sort, here taken vpon them the ministerie without lawfull calling, and intruded into others charges, to the great disturbance of Gods Church.

43 In Bishops and other ministers of this Church, they condemne the mingling of matters ciuill and ecclesiasticall, and account the same unlawful, yet doe none meddle with matters of State, more then this faction, yea diuers of them doe deale in base trades.

44 Here they condemne ciuil honours in ecclesiasticall persons, yet is Beza one of the chiefe men, both for reuenues, and honor in the king.

kingdome of Geneva : and our puritanes receiue his letters like Apolloes Oracles.

45 At Geneva and in all this newe gouernement, lay men intrude into church gouernment, and are made aldermen and Deacons.

46 They condemne the authoritie of Bishops here, yet doe they giue their consistories twise so large authoritie. for here Bishops can doe nothing but according to lawe; there as oft as it shall please the Consistorie, without lawe or colour, they may turne out all their Ministers, and pastors to seeke pasture other where.

47 Here they teach that Doctores, and pastors are distinct officers: yet at Geneva, Beza is both pastor, and doctor and others haue sustained both offices.

48 All of them doe holde, that widowes and deacons are members of Christes bodie, as they sticke not to auowe; and yet in no churches haue they widowes, nor ecclesiasticall deacons, but onely certeine counterfet almesgatherers, that are good for nothing, but to stand with a boxe at the Church doore: wherein the lining, and hope of many poore pastors in diuers places consisteth.

Fruitefull sermon.

49 In the disciplinarian kingdome, the Ministers commonly liue in extreme contempt, and pouertie, so that fewe of worth take on them the calling. which if order be not taken, will be the ruine of religion.

50 By the ordinances of Geneva, onely the Ministers life in their visitations is looked vnto, and no article set downe for enquirie of others conuersation: so that it appeareth, that this discipline is nothing, but a deuise for the abasing, and ouerthrowe, and treading under feete of the Ministerie of the Gospell.

51 There is no meanes giuen to the ministers to mainteine themselves, much lesse their wiues and children. awake therefore you my masters of the Church. your enemies seeke your ruine.

52 All matters wherein is breach of charitie, the Consistories do take vpon them to order: and to moderate rigorous dealing in lawe. this toucheth your freehold, my masters, that studie the comon lawes.

53 They take on them to moderate likewise all rigorous dealing

*An answer to certaine calumnious petitions,
in priuate contractes: which concerneth all marchants, and men of
trade verie needrely.*

54 They take vpon them to apoint what rewardes shall be giuen
to learning, and how long they shall enioy them: and yet you my ma-
sters of the Vniuersitie doe fauour these conceites, which are the ruine
of your selues, and your succession.

55 They giue the managing of Church goods, into the hands of
men of occupation, and make the Ministers to depend on their deu-
tion, a matter not to encourage, but to discourage al men of learning.

56 In the rules of French discipline, it is enacted by the Synodi-
call assemblie, that no Minister shall possesse landes, houses, or tythes:
wherein they declare, that Ministers must liue on almes, and their
wiues and children be turned on begging. what man then hath not
good cause to detest this odious discipline, that doeth not onely ouer-
throwe the Ministerie, but the mariage of Ministers also by a ne-
cessarie consequent?

57 Finally, to shut up all in one Article, these men if they be
not looked into, will overthrowe religion, her Maiesties authoritie,
the honour of the state, the rewardes of learning, the studie of artes,
and diuinitie, both the vniuersities, the hope of vertue, the lawes
of England, and many priuate mens interestes: I woulde say, the
Church also, but that euery man is desirous, that the same may bee
ruinated. but let them that seeke the spoiles of others, take heede
that they be not after warde made a spoyle themselues. It is a com-
mon saying, *uicem inuicem*, and oftentimes the spoylers are spoyled.

If I shoulde prosecute the whole course of their proce-
dings, and lay it downe in Articles, as the Libeller hath be-
gonne, I shoulde but wearie you with needeleffe repeti-
tions, as the Libeller hath done already. this is sufficient,
to shewe vnto you, that we want not Articles against these
fellowes, whensoever their cause shall come to audience:
yea, Articles materiall, and concludent, and farre vnliketo
the friuolous, and ridiculous Articles deuised by the Libel-
ler. His Articles haue no sequel: Iudge I pray you, and con-
sider of them. all of them tend to this ende, to shewe that
some

some of the Ecclesiasticall state haue offended against lawes in small trifles, and are to be punished, which were it granted, yet doeth it not followe, that a new gouernement is to be embraced, and the state altered, which is his principall desire and seeking. Contrariwise, our Articles doe shewe, that both their gouernement is vniust and disordered, and their opinions lewde, and fantastickall, and their practises seditious, and therefore neither to be tollerated: which is that, which not onely we desire, but the peaceable maintenance of the state requireth and enforceth. And I doubt not, but all those that giue themselves to the studie of lawes, or other learning, or fauour the state, considering these matters will hereafter discern, who they are that would ouerthrowe her maiesties lawes; and that not in vaine, diuers haue gone about to withstand their lewd proceedings.

Hauiug made an end of his Articles he declareth, *That his purpose was onely to redeeme her maiesties lawes from captiuitie of the clergie.* But he abuseth first his reader (for his whole booke declareth that his purpose was rather to ouerthrowe lawes, then to establishe them) & secondly the whole Ministerie of of the Church, whom he chargeth with suppressing of lawes, when all men knowe, that their onely desire is that lawes may be executed. He would also make them more base and odious; and yet nothing can be more contemptible, & miserable, then they haue made the whole ministerie, by their odious practises. For wealth and riches, marchants, artificers, & husbandmen commonly goe beyond the. Fewe leaue any thing behinde them. they pay foure times more to her maiestie the any state of me, that are most charged, & pay it most willingly. They are wronged of euery man. what would these men haue more, vnlesse they seeke their liues? how the did he not shame to say, that the clergie keepeth her maiesties lawes in captiuitie? or how shamed he not to speake of captiuitie, seeing not they, but the Lords of the consistorie keepe lawes, ministers, subiectes, yea princes in captiuitie? *Trauers* in his booke against *Bridges*, doeth vaunt, that they had alreadie brought diuers princes

vnder their yoke, and excommunicated them. They say as the Pope said, that they haue power to giue ouer all princes to satan: to bring in their constitutions, they would ouerthrowe all lawes. their onely will against all lawes must preuaile. *He further calleth the Cleargie, carnall worldlings.* He I say, whose workes are fleshlie, & whose confortes are swollen with surfet, and whose portion is in this world, calleth others, carnall worldlings, and as if he were in a bedlem sitt, cryeth out in his lunatike stile: *O England England, how long wilt thou endure these carnall worldlings?* A strange matter, that such presumptuous companions should either dare, or daring be suffered, to raile against the whole Ministerie, or that any that is in the Ministerie, or toward it, should fauour this faction, that bendeth all their force against learned men and Ministers: or finally, that any should either imagine, that these men did entend reformation; or endure to heare such lewde companions, to call themselues authors of reformation. can malicious libelling, seditious practises, counterfeited hypocrisie, notorious crueltie exceeding pride and vanitie stand with reformation? no, no, and therefore let this libeller, *that desireth to haue faithfull true English hearted men to examine these things, obtaine his purpose.* and let them examine, both the ecclesiasticall state, and these hypocriticall pretenders of reformation, what bribes they haue taken, what extortion they haue committed, what tenants they haue racked, what they haue purchased, what they haue spent in ryote, what landes they haue receaued from their ancestors, what they haue left to their successors, what offices they haue borne, what wrōgs they haue done; & I doubt not, but all the factious sorte will soone repent them of this course. especially when it shall be shewed, that their heartes are scarce English, that misliking all English lawes, embrace a packe of outlandish vanities, & that they seeke nothing, but the desolation both of church & countrie, & the ouerthrowe of her maiesties lawes, & honor, and the confusion of the vniuersities, and all men of learning.

And

And thus much sufficeth to haue answered concerning the petitioners articles: resteth now that I answere also his interrogatories, and questions, that hee may bee the better satisfiſſed, and you may the better conceiue of the mans ignorance and malice. If diuers things bee againe repeated: and rubbed ouer, blame not me, but blame the babbling fellowe; that drewe me to it. ſeeing he obieſteth, I could doe no leſſe, then anſwere. you that haue heard his demaundes with patience, heare I pray you, my anſwere, hee calleth himſelfe *Putcaſe*: vnder the name of *Putcaſe*, you ſhall heare the ſumme of his demandes, and questions.

CERTAINE QUESTIONS AND INTERROGATORIES, drawn by a fauourer of reformation, &c. Wherein he deſireth to bee reſolued: which the Printer hath thought good here to annexe. Putcaſe.

THe courſe is very odious, and not to be ſuffered. for if euery leud questioner might frame caſes againſt religion, or lawes, neyther ſhall religion, nor lawe maintaine due credite. And if euery libeller might lawfully make demaunds, founding to the infamie of gouernours and magiſtrates, and their doings bee traduced by infamous interrogatories: it would worke in ſhort time great hatred and conſuſion. His firſt fault therefore is this, that hee frameth an articulat infamous libell. A ſecond fault it is, that ſuch leude and ſhamefull practiſes are notwithstanding ſayd to be drawn by a fauourer of reformation: as if there were no difference betwixt ſlandering and reforming. A third fault hee committeth, in affirming theſe questions, to be annexed by the Printer. But the greateſt fault is, that ſuch ſhamefull libels are commonly ſolde, and the authors paſſed ouer without puniſhment. Anſwere.

Quære, firſt, whether luſtice Wray did not affirme, that men ſhould incurre no penaltie for opinions which they helde doubtlyngly: and whether a man may not without breach of lawe, make Quærees Putcaſe. Quæſt. 1.

and doubt: whether I may not be a *Putcase*.

Answer.

I haue enquired of those, that were present at the time when these wordes are pretended to bee spoken: and they doe assure me, that hee neuer vttered any such words. which I haue no reason to doubt of. for it is not probable, that so reuerend and learned a Iudge shoulde mayntaine or deliuer so strange an assertion. for in matters fundamentall of faith, to doubt is hæresie, as all diuines doe agree. And in externall matters the Apostle saith, that whatsoeuer is not of faith, is sinne. And who would not detest him, that would make a doubt, whether these disciplinarians be impious and flagitious fellows that affirme it to be lawfull to make doubts and questions in those cases? The very *Paganes* were farre more reasonable then this impious *Putcase*. For the *Athenians* banished *Protagoras*, for doubting whether there were a God or no. As for matters of state, I doubt not, but whosoever shall doubt and make a question, and not categorically affirme, that her *Maiestie* hath right to her crowne, and is supreme *Gouernour* within her dominions in all causes, and ouer all persons, is a ranke traytor. Let therefore *Pierce Putcase* looke to it a little better, and cleare himselfe of doubting and questioning, least hee bee taken for a traytor out of doubt. To come to the matter in question: it is also euident, that whosoever doth make questions, to the diffamation cyther of the gouernment or gouernours, or of priuate persons liuing in obedience of lawes, he is to be punished as a libeller. And therefore I would wish the man to shut vp himselfe in a case, & to take heed that he be not taken abroad. For he wil be in a very bad case, for his libelling and putting of cases, if euer his reueling against her *Maiestie*, her ecclesiasticall lawes, her officers, and many other good men shal come in scanning.

Putcase,
Quæst. 2.

Quære, whether the forme of prayers & administratiõ of sacraments, attyre of ministers, & other ceremonies in England, do more agree to the Apostolicall and primitive order, or to the vse of the Romish church, & whether popish orders be more seemely thẽ the Apostolike?

The

The questioner supposeth, that I will answer that, which maketh for his purpose, not doubting but to cut vs downe with the next blow. But in vaine doth he feed himself with his owne conceit. For I answer, and will shewe, that our liturgie and ceremonies agree neerer to the liturgie and ceremonies of the primitiue Church, then to the popish orders. And that is apparent, first in quality: for that wee haue purged out all idolatrie & superstition, & false doctrine, in which the papists do most differ from the ancient Church. Secondly, in forme. For as the Iewes had readings of the law, & certaine hymnes and prayers interposed: so no doubt the Apostles kept the reading of scriptures, with prayers interposed: which forme we keepe, the papists keepe not. The papists reade no scriptures, and haue other formes of prayers. Thirdly, in the language, for as in anciēt time, so now we vse our mother tōgue. Nay, further, we come neerer in our formes to the primitiue church, then the consistorial orders. For they haue no set reading of scriptures nor forme of liturgie, as they had in the times of the first fathers, and are so vnlike them, that they haue abolished al the orders of the ancient Church. They haue no set praiers, but leaue al to discretion of their speaker, as they call him: who cōceiueth prayers either so confused that they are not vnderstood, or so vncharitable, that a true Christian may not say Amen. Contrariwise, ancient counsels decreed, that no praiers should bee said in the church, but such as first should by cōmon authority be allowed. And albeit, apparel is a matter indifferent, yet in publike liturgie, wee come neerer to the Apostolike Church: whercas the puritanes haue abolished al Apostolike orders, as they haue abolished al Apostolike gouernement. To the last part of the question, whether popish ceremonies bee more decent then Apostolicall: I answer, that where they are contrarie, there the Apostolike is more decent. But I denie, that eyther the newe consistoriall gouernement, or the ceremonies by the same appointed, are Apostolicall: or that our ceremonies are papisticall.

Answer.

Nay I say, that their newe orders are not Apostolicall, but fantastickall, and that our gouernement is Apostolicall. neither shall they euer be able to prooue the contrary.

Putcase.
Quest. 3.

Quære, whether our rites and ceremonies doe not giue offence to the papists: and whether indifferent things causing offence ought not by Pauls doctrine, to be remooued out of the Church?

Answer.

Whether they giue offence to the papistes or no, wee are not to respect, nor to omit ancient and Apostolike orders to please them. To good men the vse of our ceremonies cannot giue iust offence. Nay rather, the confusion of the newe gouernment, and absurditie in the newe liturgie giueth offence, for it confirmeth the papists in their opinion, and offendeth all that are comming forward to ioyne with vs. For they see not how that can be the Church that refuseth all ancient gouernement and ceremonies, and is nothing but a bundell of nouelties. And therefore in vaine is the latter part of the question propounded, whether matters that giue offence be by S. Pauls doctrine to be remooued? for wee denie that our ceremonies doe giue offence.

Putcase.
Quest. 4.

Quære, whether the square cappe, surplesse &c. condemned in generall by the Queenes Iniunctions, bishops articles, and doctrine of England, and other Churches, misliked by Bullinger, Alasco, Bucer, Pilkington, Bale, and other learned men, be decent and comely for a preacher: and being vncomely, whether they should not be abolished out of the Church?

Answer.

First it is denied, that the attyre of ministers in England now, is condemned by the Queenes iniunctions, or bishops articles, or doctrine of England. A shamelesse man was he, that affirmed it so impudently, and so to bee credited accordingly, for the contrary is euident, both by doctrine of the Church, and law of the realme. And neuer shall this bold bayardlike *Putcase* prooue them, either to be monumentes of poperie, or defiled with idolatrie: let him begin when he wil. What other Churches mislike in themselves, we do not curiously enquire. if they were not too curious, they would no

more

more meddle with vs, then wee doe with them. At least, they would remember, that all Churches are equall, if they say true. As for the learned men that are named, and others, they may speake what they please of Popish apparell: it concerneth vs nothing. But that they haue condemned the apparell of ministers nowe vsed in Englande, it cannot bee shewed of the most learned. Nay, the opinions of *Bullinger, Bucer, Gualter*, and others are to bee shewed to the contrary. Of the rest, the authoritie is not so great, as may weigh downe the orders of our Church without reason. Finally, what is seemely, what not, neyther *Beza* nor his followers, are any iudges in matters concerning our Church. In this Church this apparell is thought decent: and therefore let the newfangled Disciplinarians weare their Flat-caps, and Russet clokes, and goe disguised like good fellows, that come from the Cart, or from the market, and so content themselues. Why wee should refuse our ancient orders, or followe them in their newe fooleries, 'as yet, wee see no reason.

Quære, if Maiors, Bailiffes, Stage players, and others, may not as well be forced to subscribe to the Bishops three Articles, by the statute of 1. Elizab. c. 1. as Ministers, seeing the Statute urged by Doctor Bridges to that purpose, doeth reache to them as Ministers? Put case. Quest. 9.

This is a Question put to disgrace subscription, by a man that neyther alloweth the Queenes supremacie, nor Cōmunion booke, nor Articles of religion. And therefore he iumbleth bishops, maiors, & stageplayers together, setting forth his follie as it were on a stage: for which if he had his desert, he would be brought to play a part on another kind of stage. Why ministers (& not these) should subscribe the reason is, for that they teach others, & must be knowen to be sound of religion: the others teache not. And the same is confirmed by diuers lawes and practise of all Churches: neyther doeth *Doctor Bridges* giue the least occasion, for him to ground

his doubt vpon him. Surely a Stageplayer may easily shewe more wit and modestie, then this pild *Put-case*.

Put-case.
Quest. 6.

Quære, whether Bishops vpon occasion prescribing certain prayers to be said, besides the prayers in the Communion booke, doe not offend against their owne Articles, and the Statute of publike Prayer: and ought not therefore to deale more mercifully with their brethren offending in like qualitie?

Answer.

A profound question: & yet of no man asked, but of those that sinne of malice. for who knoweth not, that the statute of publike prayer prouideth against the malicious contemners of the Communion booke, such as the *Papists & Puritans* are: who thinke they can conceiue extemporall prayers farre passing the reach of that booke, and bring in newe *Liturgies*; and not against such as allowe that booke, defende it and vse it, and onely adde some Prayers, according to the diuersitie of occasions and tymes, being also authorized thereto by her Maiestie, and doing the same according to Lawe. But this wicked fellowe is loath that any shoulde pray for the Queene, or against the *Spaniards*: els would hee not condemne it.

Put-case.
Quest. 7.

Chrysost. in
1. Corinth. 15.

Whether are not the Questions and Answeres at the baptizing of Infants in the Communion booke, like to the questions of the Marcionites, that baptized the quicke for the dead, one answering from vnder the bed, where the dead lay.

Answer.

The last Interrogatorie was for the Communion booke, this is against it: of so contrary pieces this worke is wrought. But if the *Put-case* that framed this question meane to proue anything, he must shewe some better reason. For there is not like reason in answering for Infantes & for dead men. Those are to bee baptized, these not: those haue sayth in habite, these are passed. Neyther is it strange, if he that vndertaketh for the childe education, doeth answere for it. The Cemonie is ancient, and not lightly to bee esteemed, vnlesse like to these newfangled *Innouators* wee meane to bidde warre to all *Antiquitie*, and playnely with them to runne into

into manifolde new heresies.

Quare, whether with safe conscience, a man may subscribe to the Communion booke, that it conteineth nothing contrary to scriptures, seeing the translation of the Psalmes differeth from the trueth of the Hebrews, in 200 places or more? Put-case. Quest. 8.

It is out of question, that the *Consistorian faction* denyeth not to subscribe to that booke, because of the faults in the translation of *Psalmes*, but for other matters which they would hide vnder this goodly glosse: for by y^e like reason they might denie to subscribe to the *Bible*, seeing the *Geneuian Bible* doth differ much from the originall text: yet they vse and imbrace it, and haue none other diuinitie, then the *Geneuian* phrase. Further, I say, that it is not the meaning of those that require subscription, to confirme eyther errors of translation, or of the print: and therefore they doe but cauill without cause, and obiekt this without ground. But suppose, the intendment of subscription were strictly to tye men to the wordes of that booke, (whether they were well couched or nor:) yet will it not fall out in reckoning, that there are moe faultes in the translation of the *Psalmes*, then in the *Geneuian Bible*. Whether there bee or no, this *Put-case* cannot tell: for hee vnderstandeth not the tongue, neither shall his companions euer bee able to iustifie either two hundred, or one fault contrary to the analogie of faith. Answer.

Quare, whether it be agreeable to Gods worde or Lawe, to punish Libellers with returne of Libels, Ribauldry &c. and whether Martin offending in Libelling, they offend not, that made the Almond for Parrat, Martins moneths minde &c. Put-case. Quest. 9.

Whatsoever those did, that answered *Martins* ribauldry-bookes, they did it of their owne heads, without either knowledge or allowance of their superiors: and therefore let them answer themselves. and I doubt not but they will answer reason; for it is nothing so great a fault to answer, as to make challenge. And further they will say, their bookes be very honest and ciuil in respect of *Martins* Atheistical Libels. Answer.

For he rayleth against lawes, against gouernours, and against men in authoritie: they reuell onely against *Martin* and his barking cures, and according to their reache doe speake for the lawes. Hee wickedly sporteth with religion and matters of State: these only play with *Martins* dizardry, and his dizardlike companions. If this Questioner reply and aske, why are they not called in? it may be answered, that if he wil make himselfe party, & shew any thing in them against religion or law, they wil be called in: yea & some of them haue bene called in, and others of a more biting stile and nature haue bene stayed. If he can shew no such thing, it will be thought, that this kind of vaine (cōsidering the intolerable pride & haughtinesse of that faction) is fittest to answer such scurrilous *Puritans*. and so fit it seemed to me, that if some had not thought otherwise, I would also haue commended this *Petition*, with the *Articles* and *Interrogatories* annexed, to their answering. for such biting stuffe is to be answered by those that wil rebite againe. First then I answer, that the bookes which were written against *Martin*, are more tolerable & wittie, then *Martin*, although they were not allowed. secondly, that it is as absurd for Libellers to complayne of Libelling, as dogges that byte, of byting: those that goe to warres in this sort, must looke for blowes againe. And lastly, that not onely *Martins* madde deuises, but also this *Sycophantes* writings are against lawe, yea, against common humanitie.

Put-case.
Quest. 10.

Quare, of Math. Sutcliffe (who is alwayes carping at master Cartwrightes purchase) why master Cartwright may not sell the Landes hee had from his fasher, and buy other with the money, as well as some of the Bishops, who by Briberie, Simonie, Extortion, Racking of Rent; wasting of Wooddes, and such like Stratagemes waxe rich and purchase great Lordships for their posteritie?

Answer.

Seeing you aske of me this question, I take my selfe bound to answer you, especially hauing vndertaken to answer many other questions, as impertinent and bad as this.

Pleaser

Pleaseth it then *master Put-case* to vnderstand, that I doe not carpe alway, no nor once at *master Cartwrights* purchase. Let him purchase and buy at pleasure: I hinder him not, I enuie him not. Onely thus much I must tell him, as I did once, that *Tho. Cartwright*, a man that hath more Landes of his owne in possession, then any Bishop that I knowe, and that fareth dayntily euery day, and feedeth fayre and fatte, and lyeth as soft as any tenderling of that broode, and hath wonne much wealth in shorte time, and will leaue more to his posteritie, then any Bishop: should crye out eyther of persecution, or of excesse of Bishops livings: whose pouertie I might, but I will not disclose. Secondly, that hee is a most happy man, that with selling a cottage and so much ground as would scarce graze three gossings, worth at the vttermost but twentie Nobles yeerely, can purchase two or three hundred markes land: and gladly would I learne that secrete. Thirdly, that seeing hee hath such authoritie with a packe of Sots that follow him, that euery word of his should be deemed good lawe: there is no reason, why he should cōplayne of the superioritie that is in our gouernours, and yet continue his bitter *inuectiues* against the State. As long as he repenteth not himselfe, of the wrong that hee hath offred to the church, nor renounceth his fond conceits of *discipline*, nor forbeareth to maintaine a *confederacie* to reuel against al such as are well affected to the State; he must looke not onely to bee carped at, but also to be launced, if hee be not otherwise dealt withall. If he keepe himselfe priuate, and seeke not to aduaunce himselfe by pillage of the Church, I for my part will let him alone: neyther shall his *Frierlike* begging, nor his couetous dealing with his Hospitall, nor his disloyall dealing with his good friendes, nor his *Vsurie*, nor any other matters bee touched or carped at. To the question therefore I answere, that it is neyther lawfull for *Tho. Cartwright*, nor for Bishoppes to waxe riche and purchase by *Extortion*, and *Briberie*, no, nor *Vsurie*, nor *Friponnerie*,
nor

nor by any vnlawfull practise. And therefore if hee knowe any Bishops that hee can charge with Simonie; Briberie, Extortion, Racking of Rentes, Wasting of woods, &c. let him name them: I defende them not. Onely thus much I say, that for one whome hee can prooue guiltie among his aduersaries, there will bee found twentie among his friends most guilty, viz. Pillers of the people, Raueners of the poore, and Spoylers of their countrey: and among these, certaine *Quidammet* companions, liuing all by scraping of quilles, that haue by force and fraude wonne great wealth: besides other Pettifoggers and parasites, that haue purchased more, then any bishop in England: and yet not so much as this *Purcase*, for he may percase purchase to himselfe a gibbet, for reuelling at lawes and gouernours: at least hee may purchase shame for abusing men of honour so shamefully.

Purcase.
Quest. 11.

Quare, whether the Bishops that affirme it is vnlawfull to giue Linings (appoynted to Ministers) to Lay men: and Doctor Bridges affirming, that a Priest is Lord of her Maiestie: or Doctor Bancroft, that affirmeth her Maiestie to be a Petit-Pope, do not diffame her Maiestie, and be not therefore Felons?

Answer.

The slaunderous and shamelesse reportes and opinions of the *Puritans* concerning the thinges touched in this question, I haue refelled before. Nowe it will bee sufficient to say, that this Sycophant belyeth these good men: and if hee bee not therefore a Felon, yet is hee a lying companion: and vnlesse hee vse the matter better, hee will neyther cleare himselfe of Felony nor Treason. For he and his companions are most guilty in those crimes, which he would impute to others. They teach that things once ¹ consecrate to God for the seruice of the church, belong to him for euer. *Appropriations* & the spoyle of *Abbey* lands, they call ² sacriledge. Vnto the reuenues of the church they challenge immunitie, & impositions laid vpon them, they call ³ impietie & barbarisme. *Martin* saith, that they which challenge ecclesiasticall superiortie, such as the Queene hath, are *Petit-Popes*: & all of them doe teach.

¹ Complaynt
of the com-
minaltie. c 6.
² Admonit.
p. 33.

³ Eccles. dis-
ciple. p. 87.

teach, that *Princes* are subiect to the iurisdiction of the *Consistory*, which things how they may be taught by good subiects, I do think, our *platformers* will take some large time to declare.

Quære, whether those that say, the oath of supremacie importeth that her Maiestie may deuise what government she pleaseth, be not malicious persons: and those that yeelde to the oath with the exposition, good subiectes.

Put case.
Quest. 12.

Who be malicious persons, and who be good or disloyall subiects, appeareth in part, by this treatise: but especially by the disloyall and malicious treatises and practises of *Puritans*: and therefore this is a wayne and doltish question. The *Iniunctions* surmise those to bee malicious, which thinke that a *Popedome* is attributed to her Maiestie by the worde of supremacie: such are the *Papistes*, and the *Puritan* hypocrites. for both doe holde, that we doe and may aswell giue vnto her authoritie to preach & minister the sacraments, as the poynts of her supremacie. The law reputeth none for good subiects, but those that acknowledge the seuerall points of her Maiesties supremacy, as power to make ecclesiasticall lawes, to appoynt ecclesiasticall Commissioners, & so forth, which the *Puritans* denie: and therefore by lawe and the *Iniunctions* they are reputed malicious persons. That any man did say, her Maiestie might simply doe as shee list in government of the church, is not probable, nor euer did shee desire it, nor can the *Libeller* proue it. Onely she desireth, that according to the lawes of God and the Realme, as she and the learned iudges do interpret them, and as the words doe signifie, she may rule the Church. This they doe denie, and doe attribute this power to the factious Consistorie: and therefore are factious *Puritans*.

Quære, whether the Archbishops of Canterbury should not rather be called Popes, then Primates of all England, seeing that a Cardinall gaue them the name of Primate, as master Lambert saith, and a Pope assigned them the name of Popes?

Put case.
Quest. 13.

Heere I must also aske the *Put-case* a question or two: viz. *Answers.*
why

why *Tho. Cartwright* is not called *Tho. Whelewright*, seeing hee would turne all round as a wheele: and why *W. Star.* is not called *John Darr*? like reason is in both. Names are giuen, some by Lawe, some gotten by vse. And therefore seeing Archbishops are called Primates, euer since before the council of Carthage: great absurditie it is to dispute, whether the Archbishop should be so called or no. And farre was *master Lambert* from his reckoning, when he imagined the Cardinall *Hugo* to be author of that name. Neither can he shew, that the Archbishop was euer called *Pope* by *Urban*, before the factious *Puritans* in their rayling wayne deuised that name for him in scorne. But whatsoeuer was giuen sometime, or now is in scorne cast on him, hee renounceth the name *Pope* for the abuse of it, and is farre from clayming the Papall authoritie. If hee had the authoritie eyther of the Pope, or of a meane Bishop, yet durst not euery Sycophant play with his name and style, neyther would such base felowes so shamefully abuse him. Hee ruleth by lawes: he deriueth his authoritie from her Maiestie: he can doe no man wrong: he is vtter enemy to all papall authoritie. Contrariwise, the Lordes of the consistorie take on them like Popes to iudge in Christes seate, to be Christes vicars, to controll and excommunicate Princes, to dissolue States, to giue lawe to Kings, to throwe to hell: and no man may once speake against them where they rule, without danger of their libertie and life. These therefore are popes in deede: and seeing they are so, why may they not be called also *Popes*, seeing they are dubbed with this name by diuers?

Put-case.
Quest. 14.

Quare, if Wicklesse, Luther, Caluin &c. were now alive, and should speake against the Lordship of Bishops, as they doe in their writings, to which prison the Bishops would send them: and whether doe hookes scene and allowed, containe matters of Felonie, and diffamatorie to the Queene?

Answer.

Quare also, if the skie should fall, where would bee best catching of woodcocks? both questions are alike. For as the
skie

he wil not fal in haste, so would not these learned men mentioned in this question euer open their mouthes against godly men, or the state & degree of bishops. That is onely proper to the foulemouthed puritanes. They speake against the tyranny and vanities of popish bishops with whome our puritanes doe not much meddle, but rather treacherously strike good souldiers that fight against the. Our puritanes declaime against holy bishops of times past, and preachers of the holy Gospel, such as those learned men neuer condemned. Let the libeller (if he can) bring forth one place, which is not meant of papisticall bishops. And therefore let them goe to the Fleete themselves, as mutinous companions: the fellowship of those learned men they cannot haue. whose bookes although they bee allowed for diuerse good things found in them, yet can it be no warrant for the platformers high stiled declamations, nor any iustification for that which is euill. For there can bee nothing more vnlike, then bishop *Lattimers* booke, and *Cartwrightes* replies defacing the bishops. Neyther are the wordes scene and allowed sufficient to warrant seditious writings. For sometimes printers are too bold, sometime the authors, sometime the correctors: and it cannot bee denied but in *Wickleffes* bookes there bee faultes. *Chaucer* and *Reynolds the Foxe* are allowed to bee printed, and many bookes more, for the good they haue, not that any part of the leudnesse of them is allowed. And therefore let the *Puscasse* leaue pleading of scene and allowed, seeing wee can neyther see his consortes much, nor allowe them, nor approoue whatsoeuer by their fauourers is printed, though it be with scene and allowed.

Quare, why papists should finde more fauour, then the seekers of reformation, and why they should not bee condemned as felons, for their abominable doctrine? Puscasse. Quæst. 19.

If all should be punished, that maintaine abominable doctrine, it would go very hard with the puritanes, whose heretical and leud opinions are very many and very abominable. Answer.

The particulars I haue in part touched before, and shall (if neede be) lay them downe more ample elsewhere. Let not therefore this *Putcase* repine at her *Maiesties* clemencie, wherein her special honor consisteth: & seeing they enioy it & liue by it themselves, let them not enuie it to others. That papistes are more fauoured then puritanes is a bold and impudent assertion. for it is wel known that diuers of them haue bene executed, some as traytors, some as felons, others haue payde for it as recusants: whereas none of this faction haue bene punished in like degree, saue *Hacker*: albe it they denie her *Maiesties* supremacie, & many of them refuse to come to church. If there bee any that haue fauoured papists, let them susteyne the shame of it, for the ecclesiasticall state hath bene most diligent to suppress them, whereas contrariwise by entreatie, fauour & meanes made by puritanes, & by some one, that hath his finger in this petition, many haue bene dismissed. First therefore, I answer, that it is vntrue, that papists find fauour more then puritanes. Secondly, that the fauour which is procured for them, proceeded specially from puritanes and their fauourers. Thirdly, that neither of them both deserueth fauour. Fourthly, that seeing her *Maiesties* pleasure is, to shew them fauour for their liues, they are not to repine at it, nor malepertly to traduce her doings. Lastly that the puritanes in termes do more maliciously oppugne her *Maiesties* proceedings & ecclesiasticall lawes, then the most trecherous papists that are fled for the same out of the land. And that therefore they are to quiet themselves, and not to stirre in this their bad cause. for the more it is opened, the worse it saoureth.

Putcase,
Quæst. 16,

Quære, if the bishops proceedings against men per ordinem inquisitionis, doe not resemble the papall order in the time of crueltie?

Answer.

Nothing is lesse like, for the Iudges now proceede by authority of her *Maiestie*, and according to her lawes, and yet are abused by euery base fellow. In times past they proceeded by other authoritie, and by orders from the Popes, & then no

man durst abuse thē. These punish according to the Queenes lawes : those according to their directions, Neither is the inquisition, which we haue, deriued from the pope, but vsed of al nations, contrariwise the inquisition of the cōsistorie is like to the Spanish inquisition, & the papal proceeding. For as in the Spanish inquisition, so in the consistorie a man is called, knoweth no accuser, and whether hee confesse or not, hee is sure to abide the order of the consistorie, and what they command, the ciuill Iudge performeth. And therefore if all must away, whatsoeuer is borrowed from the pope, away must the consistorie goe, and their excommunication of princes, and their absolute tyrannie.

*Quære, if Christ were before the bishops, & should answer, bee-
ing demanded of his doctrine, I spake openly &c. Aske them that hearde
me, whether he should be committed, as M. Bambridge, M. Iohn-
son, and other godly ministers?*

Putcase.

Quest. 17.

This question touching *Johnson* and *Bambridge* concerneth the ecclesiasticall state nothing at all. For their cause was heard and ended at Cambridge, before the Vicechancellor and his assistants: so that it should seeme to bee a case put besides the cause in handling. But in the same wee may see, that these fellowes meane no lesse to ouerthrow the state, priuiledges, and iurisdiction of the Vniuersities : then of the bishops. Marke it therefore you my masters of the Vniuersities : These fellowes whom you foster in your bosomes, meane to touch your freehold also, neither can they conceale their malice against all men of learning. To answer this absurd question, I say that I cannot chuse but wonder, that any shoulde bee so blasphemous and wicked, as to compare Christ Iesus the sonne of God, vnto *Johnson*, a factious companion, and a wicked heretike. Out of Cambridge hee was expelled, for his mutinous Sermon, and other leude behauiour. From thence he went to *Middleborough*, a retrait of such kinde of fellowes. There hee declined into Bartowisme, wherein hee now continueth, hauing augmented his opinions with many

Answer.

newe fancies of his owne. *Bambridge* a man somewhat wiser then *Iohnson*, yet neyther to be compared with Christ, nor any verie discreete or modest Christian. Christ neuer declaimed against the state of priests, nor did hee spreade newe doctrines, nor did he spurne against gouernours. These haue done al these things, and it is the cōmon practise of all such as bee of this sort. Christ did not refuse to answer directly, and confessed, that he was the sonne of God. These stand not vpon their innocencie, but vpon tearmes of lawe. Neyther doth the example of our Sauour fit them. For hee being asked of his doctrine in generall, coulde not otherwise answer then in generall: These refuse to answer in particular poyntes, which he did neuer: and therefore iustly were committed. A matter iustificable both by the lawes of God, & also the lawes ciuill, canon, and common. If being to answer in the Starre Chamber or Chancerie vnto certaine articles, they shoulde answer, That they deliuered nothing but publikely, and will the examiner to aske them that heard and saw, they would bee sent to other places to aduise vpon the matter. Further I say, it will not fall out in prooffe, that those men which haue bene conuented before the high Commissioners in causes ecclesiastical, are either godly or wise, or ministers: & therefore false it is, that he affirmeth them to bee godly ministers, and very scandalous to the state, whom he setteth forth as a state persecuting Christ Iesus: whereas in deed these men by defacing the Church, and the gouernours thereof, by teaching of erroneous doctrine, and by raising of stirres about a new gouernment, which was neuer heard of in Christs Church, do shew themselues enemies of Christ, of his Church, and of his Gospel: and therefore together with *Iohnson* of whom themselues are now ashamed, to bee cast out of the Church, vnlesse they shew more signes of amendment.

Putcase.
Quest. 18.

Quære, if by the iudiciall lawes, by the Court in Chauncerie or Starre Chamber, any man be forced to sweare, before hee knowe the cause, (as least in generall) whereunto he is to take his oath.

Suppose

Suppose a man should graunt so much, albeit the vse be not
 alwayes so: what will he conclude? That the high commissi-
 sioners proceede contrarie to lawe? His purpose is so to doe,
 but his argument will not so conclude, vnlesse he shewe, that
 they doe not also declare in generall the summe of the mat-
 ter, to which euery one is to answer. But that he cannot doe:
 and therefore I returne him backe to his prompters, to frame
 his case better, and doe reiect him as alledging matters not
 concludent. In the meane while, let him vnderstand thus
 much, that the proceeding of Ecclesiasticall courtes in ex-
 acting of othes, is not onely confirmed by all lawes, but also
 by the practise of Geneva, the patriarchall sea of puritans.

*Quere, whether Bishops be not bound to confirme children, aswel
 as Ministers to marrie with a Ring? And whether may not popish
 young men, not being confirmed, refuse the Communion?*

Putcase.
 Quest. 19.

He would conclude, that because Bishops neglect some
 part of their duetie, it is lawfull for his consortes to breake all
 lawes. but the sequele is naught. That children are not con-
 firmed, the fault is in parents that bring them not, & of these
 seducers that preach against confirmation, & not in Bishops.
 And therefore, if any refuse to receiue the Communion, it
 is no reason he shoulde receaue benefite by his owne negli-
 gence, but rather be punished for both faultes. In that he
 ioyneth popish young men together with fantastical young
 Ministers, which refuse to marrie with the Ring, he doeth not
 amisse: for they doe both consent in oppugning the state: and
 therefore are both to be punished: neither will the pleading
 of the Bishops negligence (if any be) serue either of them.

*Quere, whether an Ecclesiasticall Iudge may punish Bristowe
 for writing, that our Communion booke is an apish imitation of the
 Masse-booke: seeing the statute giueth onely that authoritie to Iusti-
 ces of peace? and whether Bristowe deprauing the Communion
 booke, may be deprived of all his spirituall promotions for his first of-
 fence? &c. Item, whether the lawe doeth not fauour the puritan, as
 much as the papist.*

Putcase.
 Quest. 20.

Answer.

The case is absurdly put: for it supposeth matters vnprobable, as that *Bristowe* should haue certein spiritual promotions in England, &c had onely offended in speaking against the Communion booke: whereas the man did wilfully flye out of his cōuntry for his dislike of the state, and practised diuers treasons, and for the same being apprehended & committed to prison, died there. Onely this thing is herein commendable, that puritans & papistes are very fitly ioyned together in this case. Both deny the supremacie alike, both depraue the gouernēt alike, both rayle against our Communion booke alike: and therefore (that all may be alike) both deserue to be vsed alike. To the question I answere, That the lawe accepteth not of persons, but whether *Th. Cartwright*, or *Penrie*, or *Bristowe*, or *Allen*, or any other offend, it doeth decree them to be punished, if they be caught. Neither haue they wrong that are deprived of their ecclesiasticall livings for their first offence in deprauing the Communion booke. For the statute doeth not onely authorize ciuile Iudges to proceede ciuillie, but also ecclesiasticall Iudges to proceede to deprivation according to ecclesiasticall lawes. But this companion either did not reade the statute, or would not report it, for then his falshood should haue appeared, and his calumnation in leauing a prouiso out of the statute, should haue bene reproued. Concerning the Communion booke, I say, it is not materiall what either *Bristowe*, or this *Put-case* saith of it, being both enemies of the state, and lying without reason and conscience. The puritans haue gone about to reforme it: but their new booke is such, as they may be greatly ashamed of it, being full of false doctrine, and fauouring a fond and loose gouernement, and fraught with most vaine discourses and verball speeches.

Putcase.
Quest. 21.

Quere, whether adulterie is to be punished by the Ordinarie, seeing the punishment thereof, without any sauing to the spiritual court, is given by statute to Iustices of peace: and whether a man may be punished, by two corporall or pecuniarie punishments, in two seuerall

all Courtes, for one and the same cause.

Answer.

The *put-case* tryeth himselfe to be a very proper fellow, to become a procter & speaker in the behalfe of adulterers, & fornicators, Percase it concerneth him neerer then I am aware of : but let him against the next time vnderstand the case better, that he speaketh in. For it is a shame for a procter, in these cases, not to vnderstand the difference betwixt adulterie & fornicatiō; and also to say, that the lawe giueth the punishment of adultery to Iustices only. for in that statute, there is not so much as mentiō of adulterie, but of bastardy. And how bastards may be gottē in lawful wedlocke, he wil hardly define, considering the Common law, which saith, that all children borne in matrimonie, the husband being *Intra quatuor maria*, are lawfull. For my part, so that adulterie and fornication bee punished seuerely, I doe not care. That the statute doeth not hinder the ecclesiasticall Judges proceeding it is euident: for that there is no clause to annull his course, neither is it the intendement of the statute to fauour such lewde persons. ut (saith he) it is no reason that one should be punished both in the ecclesiasticall & ciuill courts for one fault. wherein he doth not only contrarie vs, but *Th. Cartwright* also, who giueth the cognition of felonies and treasons to his newe consistorie, and would haue offenders herein, to acknowledge their faultes there also: which is directlie contrarie to the statute lawes. To answer his question, I deny that offenders, which are for incontinencie cōuented, are twise punished for one fault, for both the Ecclesiasticall and ciuile court, make vp their full punishment. Neither doe they against lawe, that for reasonable causes, the partie consenting, do commute the penance, This I wot, if the ecclesiasticall Iudges would deale, as some Iustices of peace haue done in this case, that fornication & such matters should for the most part passe without examination, or controlement.

Quare, if any Ordinaries haue contrined, promulgued, and pub. Putcase.
lisbed *Quere.*

lished Articles in his own name, without assent of her maiestie vnder seale, and enforced her highnes subiectes to subscribe vnto the same? and for not subscribing, haue suspended or deprived them? & whether an Ordinarie thus doing, may not be imprisoned and fined at the *Queenes pleasure*.

25. H.8.c.19.
1. Eliz.c.1.

Answer.

If the Put-case would haue made any inquirie, whether *Th. Cartwright* & his fellows haue offended against the statute, prohibiting the making of ecclesiasticall Canons, hee might haue found it out easily. For the acts are euery where extant, & their doings knowen. And yet are they not fined, nor al of them imprisoned for it. Neither do the ecclesiasticall Ordinaries refuse to bee punished, if they can bee conuicted of any such notorious offence. The subscriptions, which haue bene required, were no newe lawes, as these fellows conceaue, but confirmations and allowances of the old: & yet nothing hath bin herein done, but by allowance. As for the proceedings vsed against the Consistori-alls, they haue bene most milde and gentle, not for denyall of subscription (as this man pretendeth) but for other factious, seditious, and lewde behauiour objected to them, and remayning in record, whose cause let him moue as oft as he will: yet shall he neuer haue honor by it.

Putcase.
Quest. 23, 24,
& 25.

Quare, whether an Ordinarie may cite a man to appeare before him in his court, to depose as witnesse? &c. Item, whether a man shall be examined by orbe of any thing that soundeth to his reproach? &c. Item whether if an Ordinarie cite men Ex officio, to sweare to accuse themselues, in causes neither Matrimoniall, nor Testamentary, a prohibition wil lie against him or not? Item whether the cause depending in the Starre chamber, the Ecclesiasticall Iudges shoulde not cease their proceedings? And last of all, whether the Iudges and wisest lawyers doe not condemne the proceedings of prelates?

Answer.

To most of this I haue already spoken, and doubt not, but therby there appeareth neither reaso, nor honestie, nor law, nor ought else saue malice, in this demaundants questions.

Yet

Yet thus much I answer further; First, that if the Iudge could not call witnesses before him, there would bee no triall nor prooffe in matters of doubt. Secondly, that in diuers criminall causes, both Gods lawes, and the lawes of this realme doe require, that the partie answer vpon his othe. Thirdly, that there lyeth no prohibition: for that the Ordinarie dealeth in causes orderly, and according to warrant of lawe. Neither is it reason that the Ecclesiasticall Iudges should cease doing of iustice, against all the perturbers of this Church, because there was sometimes one matter depending in the Starre-chamber against some fewe of them. For where the ecclesiasticall Iudge is prohibited to proceede in one cause, yet doth he notwithstanding proceede in others of like nature concerning other parties. Much rather then ought they to proceede, not being prohibited, and in cases that are diuers: especially now, that the cotumacious dealing of the Puritans, is by the iudgement of the reuerend Iudges and most sufficient lawyers in England, condemned, and the cause now dismissed the courte, and diuers consultations brought, after prohibitions graunted out of some courts in that cause. Neither doe I thinke, that either maister *Cooke*, a man too learned not to knowe, and too wise to fauour such perturbers of the state, as the seare, or any Iudge or learned lawyer, wil condemne the proceedings of ecclesiasticall courtes in these cases, as being contrary to lawe. The writte in the Register, which seemeth to giue leaue to Ordinaries to sweare men in causes Testamentarie and Matrimoniall is proued to be miscōstrued by *Fitzherbert*. For otherwise that writte should be contrarie to infinite other lawes. Vpon this error, what maruell is it, if *Crompton*, a man of no iudgement, hath bene deceaued, seeing *Fitzherbert* hath also mistaken such matters. Neither is it maruell, that lawyers speaking for their clyents, doe speake otherwise then lawe. For neuer before this time was it heard, that the pleading of lawyers shoulde be accounted to be lawe, further then they bring lawe and rea-

son out of lawe. To make a somme therefore of these matters: Master Cooke, who now for his manifolde good partes, is made her maiesties Solicitor, shall yeelde no thanks to this Libeller, for bringing his name in question to bee a fauourer of malcontentes, and an enemie to the Ecclesiasticall state. Neither shall any credite you hereafter, for this your notorious belying the Iudges. For it is well knowen, that the Iudges haue resolutely both condemned the disloyall practises of this sorte of men, and also allowed the proceedings of the Ecclesiasticall courtes. Nor shall any allowe your malice, that with false reportes goe about to enkindle a disliking among Iudges. And therefore vnlesse you set downe the state of the controuersie better, and reason more sufficiently, both your selfe as an ignorant *Put-case*, and your cause as repugnant to lawe, will be condemned.

Putcase.
Quæst. 16.

Quære, if the high Commissioners for Ecclesiasticall causes may cite men Ex officio, to accuse themselves in matters neither Testamentarie nor Matrimoniall, and may committe the Queenes subiectes to prison, especially for refusing to take the othe? And whether they ought not to take bayle? and whether the writte De homine replegiando, doeth not lye in that case? Item what satisfaction Doctor Coosin, Doctor Stanhoppe, and Doctor Bancrofte will make to those, that are so wrongfully imprisoned? Item whether for that matter, they may keepe men in prison without calling them to answere? and finally, whether they deserue not like punishment therefore themselves?

Answere.

Here is great noyse, little wooll: many wordes, little witte: much malice, little or no reason. For the high Commissioners, they bee (many of them) men of great honor, and such as will doe no wrong to any: nor will proceede without sufficient warrant. If they haue passed the limites of their Commission, why is not remedie of lawe sought? For satisfaction to these doughtie demaundes, I aunswere; First, that no man is called to accuse himselfe but to aunswere accusations objected by others, Secondly, that they haue

haue power to call offenders before them, and to examine them, and that their iurisdiction were vaine, if they might not punish the contumacious. Thirdly, that if such, as are committed to prison for contempt, might be bayled, there were then no meanes to punish a contempt: and that offenders put in prison for contempt, are not baylable. Fourthly, that the writte *De homine replegiando*, is not in this case grauntable, as all lawyers can tell him, Fifthly, that they may deale in many causes besides Matrimoniall and Testamentarie. Sixthly, that the learned men there mentioned haue great wrong to bee thus contumeliously abused by this libeller, they hauing done wrong to no man. Seuenthly, that men committed for disobedience, are not to bee released but vpon their conformitie: And finally, that such libellers as take vpon them to raile at Iudges, and to oppugne lawful proceedings, are to haue their mouthes muzzeled vp, and their malice repressed.

Quare, Whether any Ecclesiasticall Iudge hath conuented, examined, and committed any for matters felonious, touching the Queenes crowne and dignitie? And whether these practises doe not instanter, instantius, and instantissime, craue the Præmunire? Putcase. Quest. 17.

That his companions are in case of Præmunire, it is out of question, for that they haue contrarie to the prerogative of the crowne, brought in forreine lawes, and forreine iurisdiction of more then papall Elders, and made diuers Ecclesiasticall constitutions, contrarie to the lawes of the realme. Nay it were to be wished, that they had onely offended against the statute of Prouisors. But their deniall of the supremacie, is a further point. What then doeth that craue? Let him speake in his Proctors stile. It craueth consideration, and the perturburs of the state craue a wiser Proctor. As for Ecclesiasticall Iudges, it is well knowne, that they doe not deale in matters of felonie: their

Answer.

Aa 2

actes are cleare: if any man doubt, they will resolue him.

Putcase.
Quest. 28.

Quere, whether any may bee imprisoned without warrant of law, &c.

Answer.

Can this libeller shew any warrant, he hath to accuse men vniustly? If not, why doeth he proceede in accusing, and is so slowe in prouing? If any be imprisoned vnlawfully, the lawe is open, Neither needeth he to tell vs of *Sir Iohn Markeham*, in this case. For that which *Sir Iohn Markeham* saith, we acknowledge, for it maketh nothing for the libellers cause.

Putcase.
Quest. 29.

Quere, whether it be not lesse danger to blaspheme the name of God, then to speake against a Lord Bishop? And whether moe Ministers haue not bene deprived within this seuen yeeres for ceremonies of men, then for dronkenesse, whoredome, &c.

Answer.

If it were so dangerous to speake against bishops, as this fellow pretendeth, they would not be so reuiled, nor reuelled at by such reuellers as this. The cōparifon which he maketh is odious. Moe be punished for abusing the Consistorie, then for abusing the name of God: & more doe these consistorials striue about the authoritie of their seate, then about Gods honor. But what then? because some of them offend, will they haue all Consistories abolished? And therefore let him cease to talke of Bishops, and looke bakeward home to the Consistorie, that it be well swept and garnished. To the second I answer, that none are deprived for ceremonies, but such as be rebellious against lawes, and with no admonitions will be reformed: which contumacie is a most odious crime: and further I say, that the offences which come to the cognition of ecclesiasticall Iudges, are as strietlie there dealt withall, as in any other of her Maiesties courtes.

Putcase.
Quest. 30.

Quere, why the Ministers may not refuse to weare a Surplesse, as a Bishop to vse a Pastorall staffe?

Answer.

Eccause the one is commaunded by Lawe, the other is not. The Rubrike, whereby they would proue the Pastorall staffe, concerneth onely orders, and ornaments to be vsed in Sacraments and seruice of the Church, and none other matters.

matters. but suppose both were commaunded: yet is it no plea for offenders to say, because Iudges offende in some things, that they may offende in others: which is the course of these men. Belike these are the times, wherein offenders cal Iudges to answere, and felons giue sentence against their superiours.

Quare, whether seekers of reformation suffer for religion, and conscience in matters of discipline: seeing their life is offered them by bishops if they will recant their opinion? And whether the Popishbishops persecuted any that differed from them in externall forme, and ceremonies? Putcase. Quæst. 31.

As Papiſts doe make treason religion: so it may bee, that these schismatikes for their misdemeanours woulde bee accounted religious. Otherwise it is euident, that neither Papiſts nor Puritanes suffer for religion in England. And therefore euil doeth it ſeeme, that they ſeek reformation, or deſerue to be called ſeekers of reformation: and wel doth it appeare, that they haue a bad religion and conscience, that colour their lewdneſſe with religion, and lye without conscience. Answer.

As for perſecution, it is a terme ill applied to the proceedings of our Biſhops, and lewdly are they compared with traiterous papiſts, againſt whom they ſtand in continuall warfare. For neither doe they conuent any but for tranſgreſſing the lawes; nor do they impoſe puniſhments, but vpon the rebellious, & thoſe very eaſie puniſhmẽts which in time of popery were death, euen for denial of the leaſt ceremony. which this Putcase not vnderſtanding, he ſheweth himſelf to babble of matters, that he vnderſtandeth not. That biſhops did offer life to *Vdal* (for I knowe none but him, and *Hacker*, and a traytor in Suffolke condemned about theſe matters) it is abſurd to affirme. For not they, but others condemned him.

Neither is it in their power to graunt life, nor in their wiſedome to offer that which they cannot graunt. And if they ſhould bee ſo remiſſe, as to bee meanes to her Maieſtie for

them, yet would it argue their clemencie, in going about to procure their liues, that seeke the bishops ouerthrowe: nay, that most factiously goe about to ouerthrowe the Church, the state, and the rewards of learned men.

Putcase.
Quæst. 33.

Answer.

Quære, whether he that publisheth bookes with long premeditation, doth publish the same with a malicious intent?

True, if they be malicious bookes, such as this libel is, and such as the Demonstration of discipline, and Martins ribauldrie was, Neither is the case alike of a Sergeant arguing against the truth in his Clients cause, and of these that with out fee argue against both truth and state. For it is well knowen hee doth it for his fee, and taketh heede howe hee offendeth against lawe: but these leauing the case, doe argue or rather rayle against the person, yea against lawe and honestie.

Putcase.
Quæst. 33.

Answer.

Quære, whether ecclesiasticall Iudges doe not giue sentence contrary to the common lawes, and statutes of the realme? and whether prohibitions doe not lye in such cases.

No doubt, there lyeth a prohibition, if they proceed contrary to law. But men learned will take heed they do not: and especially seeing they haue such Canarian birdes as this looking vpon their doings, and watching for the spoyle. But let them rake heede, for in warres the spoyler is often spoyled, and those that digge pits for the innocent, fall into them themselues.

Putcase.
Quæst. 34.

Answer.

Quære, whether bishops are not in premunire, or at least deserue to be imprisoned and fined for practising popish and euill lawes in their courts: seeing all forreine aushoritie is banished, and those canons and constitutions prouinciall and synodall onely authorized, that haue bene made in England?

Little doth this dolt knowe, what the *premunire* meaneth. If he did, he would not so often flourish with the sword, and doe no hurt. Those incurre the *premunire*, which drawe the Queenes Subjects into forreine courtes out of the Queenes courts, & seeke to defeat iudgements giuen in the Queenes

courts. Likewise he is ignorant, what lawes are practised in the ecclesiasticall courts. For there are no lawes practised there, but the Queenes lawes: *viz.* such canons as were practised in England before the making of the Act. 25. Hen. 8. ca. 19, and not (as this fondling saith) such canons as were made in England. Good it were therefore, that some of his company would eyther admonish him, or premonish him hereafter to leaue babbling of matters which hee knoweth not. For it is either plaine impudencie, or lunacie so to wrangle.

Quære, whether the bishops, or the consistorie, encroch more vpon the ciuill magistrate? Putcase. Quæst. 35.

Answer.

That is a matter most easily answered. For the bishops, albeit they deale in testamentarie causes, tithes & mariages: and haue Baronies, and sometimes deale as Iustices of peace: yet all this authoritie they haue vnder the prince, and from him they deriue it. Contrariwise the consistorie draweth no authoritie from the prince, but contendeth with the prince about supreme authoritie. It giueth lawe to the prince: it doth chastise and iudge the prince: vnder colour of the breach of Gods lawe, it doth encroch vpon all causes, and controlleth all that are subiects to Gods lawe, whereof the same doth take it selfe to be iudge. It chooseth and deposeth all officers of the Church, may it deposeth princes, if the fau-
tors of it say true. These therefore bee the fellows that encroch, nay that treade downe princes, and (as *Th. Cartwright* sayeth) make princes to lick the dust of their seete. As for that which this *Putcase* alledgeth, that the Archbishop giueth the prince dispensations vnder his hand and seale, it is a fable. Let him shewe any of these licences so graunted. But (sayeth hee) the lawe saith, hee may. well, then let him quarrell with the lawe, and not with the Archbishop, who challengeth nothing, as these doe, but by the princes grant: Besides, that lawe was made to exclude all forreine iurisdiction, which these men woulde gladly bring in. That which the libeller sayth of excommunication for mony, is a

leud calumination long since answered. For wel it is knowen, that no man is excommunicated for money, but for disobedience to the Iudges decree and sentence. And as those that will not yeelde to the ciuill Iudges sentence euen in the smallest matters, are compelled by imprisoment; so those that refuse to obey the ecclesiasticall Iudge, are compelled by ecclesiasticall censures. For they themselues doe interpret these wordes, *He that will not heare the Church, &c.* to bee vnderstood both of great, and small matters.

Putcase.
Quæst. 37.

Quære, if Moses vnder the law, and Timothee and others vnder the Gospell, needed to haue a forme of gouernment of the Church prescribed to them by the Lord, whether it bee likely that the Lorde would commit the Church to M. Whitg. M. Cooper, M. Bancroft, and others, to frame a gouernement for it at their pleasures?

Answer.

The Lord doth not commit his Church to bee gouerned by any at their pleasures: least of all to the aldermen and new consistories, things like too destooles the last night risen out of the ground, and ruling al things without reine or restraint of reason. It might haue pleased this libeller in naming these men to vse other names, if not for authoritie they beare, yet for common ciuilities sake. but he will perchance shewe, that he neyther respecteth authoritie nor ciuilitie, but meaneth to reuell at all that resist his fancie, and that iniuriously. for neyther these excellent men, nor others doe hold it lawfull to frame a fond new gouernement at pleasure: nor doth any of them doubt, but that the gouernment of the Church of England, is Apostolicall, and that the gouernement by elders, is both new, and fantasticall.

Putcase.
Quæst. 36.

Quære, if Iohn at Stile should grant there was a gouernement by elders in the primitive, Apostolicall, and best Church, and should call the same gouernement a popedome and tyrannie, whether this did not rankly smell of detestable atheisme.

Answer.

If Iohn at Stile should say as much as this libeller hath said in his libell, hee might percase change his stile, and bee called Iohn at Gibet. for these bee matters worthy Gibets. but concerning

cerning this matter, I thinke *John at Stile* will not say that there was euer such a packe of Church-aldermen, as this faction vseth in their Consistories. And if hee should say so, hee should say vntrueth. neyther were the Elders in the primitiue Church or after, other then Apostles, and ministers of the worde. All the ancient Fathers were ignorant of this newe gouernment: yet was it not Atheisme in them to say it, as this wicked and hypocriticall Atheist auoweth: nor are these Atheistes that impugne the fonde Consistorie, or that affirme that the newe gouernment is tyrannie; nay, which is worse, that it is meere foolerie: but those that wrest Gods worde, and lye shamefully to proue it. For what more sottish, & sencelesse gouernment can there be, then to make clownes iudges of learning, religion, and controuersies of diuinitie? or more absurde then to refuse that gouernment, that euer was in the church?

Quere whether the Churches in Scotlande, France, the Put. case.
lowe Countreyes, Hungary, Poland, Bohemia, Saxony, Helue- Quest. 38.
tia, and the County Palatine of Rhene, and whether Zuinglius,
Oecolampadius, Melancthon, Bucer, Caluin, Zanchus, Mar-
tyr, & infinite other the most excellent diuines in all the world com-
mending the continuance of the Eldership, be all Anabaptistes, Pu-
ritans, rebellious Traytors, Marshales, Marlawes, Marprinces, and
Maralles, and D. Bancroft, M. Sutcliffe &c, the onely good sub-
iectes in all the worlde?

As we do not willingly condemne other churches in their Answer.
gouernment: so we thinke *Beza* and others might haue done more wisely & discretely, not so rashly to haue censured ours, especially pronouncing without hearing both parties, and sitting iudge in his owne cause, and speaking neither good diuinitie, nor good lawe, nor good reason. yet we say, if any of these aboue named should in this state go about to place the eldership so contrary to a monarchicall regiment, he should haue done therein no good office, nor discharged the durtie of a wise man. this I say further, that this libeller doeth make

most shamefull lyes, where hee nameth many churches, and many learned men, as fauourers of the new Eldership; where, as in trueth they neuer knewe what it meant. It is not in *Saxony, Bohemia, Polande, Hungary*, nor in many places in the low countreyes, and where it is, the same continueth with small profit, and much displeasure. The countie Palatine of *Rhene* hath after many styrres conditionally receiued it. *Heluetia* neuer had it, neither *Oecolampadius* nor *Zuinglius*, nor *Melancthon* euer knew it, nor I thinke the rest. What a shamelesse fellow then was this, thus impudently to lye? nay, *Saxony* hath superintendents, and so sometimes had *Scotlande*, and *Tossane* they say, is generall superintendent of all the *Palgraves* dominions, concerning Church causes: and the Churches of Strangers in *Englande* in King *Edwardes* dayes had superintendents, & *Melancthon*, and *Zanchus* liked our bishops: and therefore none of these are like to our factious *Puritans*. And as for Doctor *Bancroft* and my selfe, they cannot say, but that wee are good subiectes, nor note vs with any disloyaltie. But beside vs, the least of thousandes; there are infinite more good subiectes, and learned men (of which number the *Puritans* are none) all which stande against the factious government of the Elderships, & maintaine the ancient apostolicall orders of the Church. That the best Diuines in the worlde should hold with the Eldership, is a fancy: for all the ancient Fathers were ignorant of it, and the godly martyrs of our land in *Queene Mariés* time refused it; & beside them infinite learned men: all which hold with bishops, which these condemne. chuse you therefore whether you will follow all antiquitie, or *Th. Cartwright, Giles Wigg, Iohn Penry, Tauerghius, Caluētus*, and such tagrag fellowes, percase great fauourers of the church-aldermen, but neyther wise nor learned.

Put case.
Quest. 39.

Quere, whether the Kings of France and Scotlande, the princes of Condé, and Orenge, the duke of Saxony, the countie palatine of Rhene, the States of the lowe countreyes, many other Dukes, Princes, Marqueses, Earles, Barons, and other christian and noble

poten-

patenters, who haue maintained, fauoured and preferred the Ministers that stand for reformation: and whether here in England, the right honorable sir Nicolas Bacon Lord keeper, the Erles of Bedford, Warwicke, and Leycester, Sir Francis Walsingham, Sir Amias Paulet, Sir Walter Mildemay, and other right noble Lordes, Counsellours, Countes, and Countesses would haue countenanced and protected the Ministers that seeke reformation, if they had perceiued them to bee enemies to the Queene and state, worse then papistes, and miscreants? and whether our Prelates bee more trustie to her Maiestie, and prouident to auoyde danger, then these excellent personages were?

This argument for the consistory is drawn from the opinion of courtiers, & men of warre; & therefore seemeth to me strange in diuinitie, howsoeuer it is approued as good in the consistorie that dependeth on opinion, and is turned as the cloudes with the winde. If the same were any thing worth, then might the heresie of *Arrius*, yea, *Paganisme* bee confirmed also to bee as good religion, as the consistorian discipline. for many Emperours, Kings, noble men, dukes, countes, countesses, captaines, yea, whole States haue embraced *Paganisme*, and condemned Christian religion, and fauoured idolatrous priests, and persecuted christians. *Constantinus* and all his court for the most part, & most of his dominions embraced *Arianisme*. And what wonder if diuers noble men and women embraced this fantastickall Discipline? for whome would not the demure countenance, & sober sighes, and out drawn speech of these hypocrites abuse? wherefore let this libeller ground himselfe vpon these mens courtly fauour, & muster an army ready to fight for discipline: let him haue his captaines & officers, his marshals, lieutenants, ensignes, sergeantes, corporals, drummers and fife: and let him make his aldermen gunners: for if they could looke with one eye, they would proue most excellent in that facultie, shooting so well at randon about interpretation of scriptures, & hauing so long layne battering downe our State. I say, all these

Bellipotentēs
sunt magis
quā sapientipotentēs.
Ennius apud
Cicer. 2. diuinæ.

mens opinions without authoritie of Scripture wey not one pepper graine. Hee is a simple man that will die in that religion, that most of these fauourers of Discipline which this man hath named, did: and most simple, that will thinke the consistorian faction good, because some here mentioned fauoured it. for some had one respect, some another, and were men of strange Diuinitie for the most part, which I could iustifie by particulars, but I will not trouble the rest of those that are dead, nor disgrace those that are aliue. Let them be as good as they are supposed, yet doe I belecue one Father in matters of Diuinitie before them all.

Besides that, diuers men here named, neuer fauoured the Consistorie: as the last *French* kings, the Dukes of *Saxony*, & other Christian potentates: neither did the Frenchmen contend for the Consistory, which came to be afterwarde established, but for religion. And well it is knowen, that both the Earle of *Leycester*, and Sir *Francis Walsingham* in their latter times renounced these men, confessing that they had bene greatly abused by their hypocrisie. Neither do I thinke that Sir *Nicholas Bacon*, Sir *Walter Mildmay*, and such noble counsellours woulde fauour factious fellowes; or suppose these whome the Libeller defendeth, to bee good subiects. Nay, one of them hath spoken most earnestly in open Parliament against them, and their Elderships; so that this argument that standeth on such false assertions and weake authoritie, cannot be good. If this argument be sufficient to proue them good subiects, albeit they deny her Maiesties supremacie in Ecclesiasticall causes, and slander her gouernement, then Papists and traitors may by the same be prooued to be good subiects: for great Princes, states, and potentates fauour their cause.

The Bishops, and other ministers that liue in obedience of Lawe cannot with those faultes bee charged, and therefore are wronged to bee matched with these mutinous mates; that with multitude and power, rather then reason, seeke to

prepayle. Yet haue they against them all the ancient fathers, all counsels, all learned men of time past, yea all antiquitie, yea, & many learned men of our time, with whome neither for number, nor authoritie are these fellows to bee compared.

Quare, whether a Minister ought not to admonish the mightiest Prince of his duetie, refuse to administer the sacrament vnto him, if hee bee a notorious offender, and pronounce him to bee no member of Christ in the communion of Saintes, if hee continue obstinate in open crimes? and whether vnder the Law David, and other princes were not subiect to ceremoniall expiations, and the spirituall power of Priests and Prophets? and whether Ambrose did well in vsing like authority towards an Emperour? and lastly, whether Zanchus, Caluin, Bucer, Nowel, Iewel, Bilson, and Bridges approving the like, be traytors, Popes and tyrants?

Putcase.
Quest. 40.

If a minister may doe all these seruices against a prince, what should any neede to desire the Eldership? forsoothe belike one is too fewe to suppress a princes authoritie. for this cause it is not fitting, that any such power should bee granted eyther to ministers, or to consistories: for that which is alledged, viz. that ministers may admonish princes; maketh nothing for the consistory, nor excommunication of princes by ministers. for betwixt publike and generall admonitions, and excommunication, there is no small difference. every minister may vse that according to his place and calling, but it were somewhat too sawcy a matter, for euery hot braynd fellowe to vse this, especially against princes: neither did either the priests excommunicate *David*, nor *Ambrose* pronounce sentence against *Theodosius*, he did only exclude him from his owne communion: nor do I find where any of these learned men euer did make the soueraigne prince subiect to a cocke braynd fellowes curse. If he were subiect, then were he no soueraigne prince: & then should euery minister controlle the prince: which is absurd, & repugnant to state. but as this felow doth insinuate, *David* was subiect to ceremoniall expiations:

¹ Machiavel
histor. florent.
lib. 1.

tions: admitte it were so; yet great difference there is betwene these expiations voluntarily vndertaken, and excommunication violently pronounced, as learned men haue shewed. There is no other meanes whereby the ¹ Popes grewe great at the first, then by excommunication: shall we then recall againe the Papall tyrannie? shall we establish the instrument of so many rebellions? shall wee admit such foolish conditionall sentences, which all Lawes condemne? As for *Nowel, Bilson, Bridges*, and others writing against papistes, they doe not simply auowe such excommunication of princes, as these would haue, but prooue that other bishops may proceede therein, as farre as the bishops of Rome, and that with them they haue equall authoritie.

Put case.
Quest. 41.

Quere, why there may not bee vnder a Christian Magistrate, Pastors, Teachers, Elders, Deacons, and Widowers, aswell as Parsons, Lecturers, Schoolemasters, Churchwardens, Collectours for the poore, and Hospitall women, seeing these doe, and may execute in authoritie and power, the whole forme of Church government desired, though their practise thereof is infinitely corrupted, against the Canons of the Apostles, to the danger of the Church and dishonour of the Realme?

Answer.

First it is false, that they may execute the same authoritie that the Eldershippe may. Who would not bee ashamed to affirme, that our Churchwardens may excommunicate any person, or that any with vs beside the Prince and parliament, might make Lawes and orders, but hee that shameth of nothing? But suppose they doe some things which the aldermen doe: yet were it no reason, because these doe somewhat by lawe, that we should admit a governments contrary to lawes, to state, to her Maiesties prerogative, to all scriptures, fathers, antiquity, yea to sence & reason. That which he saith, that the offices of our churchwardens, and hospitall men are corrupt to the danger of the church, and dishonour of the realme, is nothing but a sound of great words without reason: for neither are the offices so corrupt as he pretendeth, nor is there

there in the danger, or disgrace. nay the worst of our church-wardens are as honest, wise and learned, as his church-aldermen, & as fit to gouerne as they. yea and our collectors be as good as his deacons: and that hospitals be not corrupt, T.C. will looke, that is a master of an hospitall, and a man voyde of all corruption, and good dealing.

Quære, whether the Ecclesiasticall high commission be not in effect an Eldership, wherein some gouerne with Ministers, who by profession are temporall Lawyers, Ciuilians, meere laye men? and whether this gouernment consisting of spirituall and temporall persons, be a meddley, and lynsey wolsey discipline, as the Remonstrance calleth the Eldership, which is now desired?

Put case.
Quest. 42.

Nothing is more repugnant, nor with lesse reason compared together, then the high commission, & eldership. If I did not tell them so much, yet me thinketh, that their continuall declayming against the high cōmission, as proceeding contrary to lawes, might teache them so much. for if they be so like, as this fellowe nowe recanting his rayling against the high commission pretendeth, why should not wee take exceptions against the imperious aldermanship of the church, as these doe against the high commission? especially seeing that the high commission dealeth only by authority from the prince, and is limitted with lawes, and is subiect to the princes commaundement, and dealeth onely in extraordinary cognitions, and may bee reuoked, and cassed as the prince shall thinke meete: And where onely Ecclesiasticall persons meddle with the censures. whereas contrariwise the imperious church-aldermen clayme no commission from the prince: nay, they challenge the power and vicarage of Christ Iesus, and superioritie ouer all princes, and deale in small and great causes: yea, clownes, and doltes dispute of religion, and throw out excommunications, and rule all without lawe or reason, by the onely instinct of their vn-cleane spirit, or rather changeable fancie: and therefore the

Answer.

Remon.

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Answer.

Remon

Remonstrance sayth well, that it is a lynsey wolsey, and motley discipline patched together by men of motley ierkins, & consisting of contrary peeces, iumbling both Church and common wealch together, while ministers are sent abroad to beg for their liuing, and artificers and clownes rule like Lordes in the Consistorie, prescribing Lawes to princes: so that if the Libeller desire this goodly gallimaufrey of discipline, hee is more fitte to weare a motley cote with an addition of haukes belles, then to gouerne a Church, or any part of the common wealch.

Put-case.
Quest. 43.

Quere, if the sole government of a bishop in a diocesse be sufficient and most agreeable to Gods worde, why is there an ecclesiasticall commission standing of many persons ciuill, and Ecclesiasticall? or if an Ecclesiasticall commission bee needefull in a Realme, why not in a Prouince? If in a Prouince, why not in a Diocesse? If in a Diocesse, why not in a Deanerie? If in a Deanerie, why not in a Parish? Lastly, why might there not without absurditie, and breache of true uniformitie, bee planted in some places already capable, a Consistorie, or Commission of Elders, though the like cannot bee accomplished in all, seeing there bee newe Ecclesiasticall Commissions erected, Deanes and Chapters broken musicke, and Organs in some places, not in other?

Answer.

To these three questions, which are the very crisis of the *Put-case* dreaming furie, I answer first, that seeing the prince by his lawes of God is soueraigne gouernour in all causes within her dominions, that beside the ordinary iurisdiction of Bishops within their seuerall Diocesse, it is very requisite that there should bee a superiour authoritie to assist them, and to strengthen them, and to supply that which is wanting, and in case they doe not their duties, to correct them: secondly, that as the Prince is one, so there ought to bee but one supreme authoritie, although by that authoritie her Maiestie may appoynt diuers Commissioners: and yet nothing commeth thereby to the Eldership that claymeth authoritie not from the prince, but from God, and would altogether

break

breake the vnion of her gouernement, while euery consistorie would rule the congregation vnder it, as best pleaseth my lords the church aldermen,

As for the gradation of the libeller, if hee had vnderstoode any logicke, he might haue learned, that no kind of argument is more faultie. by this reason a man might thus conclude against the libeller, that if he will libell against authoritie, hee will not spare the counsell, if they withstande him; if not the counsell, neither will he spare the prince: if hee contemne all humane lawes, he will not greatly esteeme Gods lawes; if hee care not for Gods lawe, then will he not in the ende care for God himselfe. likewise if the *Sanhedrim* was at *Ierusalem*; then in other cities; if in cities, then in boroughs, & so in villages: and if the consistory be required in parishes, then in villages, if in villages, then in hamlets; if in hamlets, then in houses; if in houses then in the kitchen, where the cooke is chiefe moderator, which followe as well as his reasons. many doe thinke that one high commission is inough & too much for al England: what then would they thinke, if they should see in euery parish high commissioners? yea what if there were but such commissioners as the aldermen of the consistorie be, that claime a most absolute & high commission from God, planted in euery parish? it would then be time to runne into some other countrey & remaine for it would bee hard liuing in England, thirdly, I say, that there is no place in England capable of the aldermanshippe, but such as is very capable of faction, and disloyalty: and that his reason drawn from organs, and broken musicke is very weake. for albeit there is broken musicke in some places, and not in other: yet can there be no elderships in any place. for if any should bee placed, the musicke of that companie compared with other places would sound like a paire of broken organes, not onely like broken musicke. and that gouernment would breake both Church and common wealth in piéces, & bring all our of tune: they haue done it already in places where they be settled: and were

unknowne to all antiquities, and therefore, what reason haue wee to make triall of that, which is like to prooue so dangerous?

Thus you haue heard all those contumelious cases, questions, and demands, which this railing *Putcase* in his malicious fury hath thought good to propound, not only to disgrace, & hurt the ecclesiastical state, but also to ouerthrow law, and government: if the course be lawfull, and honest, who may not as well propound questions to the dishonor of any state, or noble personage in the land? there is no man of so rare merite, nor so honorable, but might, if this course were suffered, be brought into enuie, & hatred: and if I shoulde follow him in this course, good Lord, what shamefull and ridiculous matters do the publike and priuate actions of these factious persons offer to mens view: al which albeit they deserue to heare: yet it is not for me to speake; neither do graue men desire to know. I will only for requitall frame certaine interrogatories concerning the cause, & those persons which are principal agents in this cause; that seeing how open they lye themselves, they may hereafter deale more modestly with others; if they follow this course I doe assure them, that for euery one they haue propounded to vs: there will be by some or other, twentie propounded to them: in the meane while let them content themselves with these, and blame not me: for I doe but answer, and follow them: seeing they haue begunne to come into this kind of field: they must haue patience to stand to the hazard of warres: if they would haue dealt ciuilly with me, they should not haue overcome me in curtesie.

CERTAINE QUESTIONS PROPOUNDED
to the *Putcase* and his adherents; wherein diuerse well affected to the state desire to be resolved.

Quere, whether hee that maketh doubt of the principles of our Christian faith, bee not by the opinion of the an-

cient fathers an heretikes; and whether the lawes do not con-
demne him for a traytor, that maketh doubt of her Ma-
iesties right to the crowne: and for a contumacious, and
rebellious person, that maketh question, whether hee ought
to obey such lawes as her Maiestie, and the whole parlia-
ment, and wisest men of England have thought to bee god-
ly and convenient? and lastly in what case, the *Puisfe*,
and his fellowes are, that in broade speeches openly, and in
printed bookes directly oppugne them; and by calumnious
questions pinch at them?

2 *Quere*, whether those that would overthrowe not
onely the priuiledges, and liberties of the Church of Eng-
land, but also the whole ecclesiasticall state, their jurisdic-
tion, and livings, seeke not the overthrowe of *Magna*
charta, and infinite statutes, and of a great part of the
common lawes of this Realme, and seeke the dishonour of
her Maiestie and the state by requiring at her handes things
that tende to the violating of her oathe taken at the time
of her coronation; and the overthrowe of the rewardes of
learning; and whether such as are chiefe doers in these cau-
ses, are longer to bee suffered to proceede in their pre-
sumption?

3 And because the *Puisfe* maketh mention of that reue-
rende Iudge Sir *Christopher Wray* late. lorde chiefe Iustice of
England, for his also answer, whether hee did or doth thinke
his opinion as a Iudge, and in his Iudgement, as a man in his
dislike of these mens obstinacie, condempning those that obsti-
nately refused before ecclesiasticall iudges to take their othes,
or to declare being examined matters concerning them-
selves, or others, to be as they concerned themselves, or mem-
bers, and whether the reverend, and learned Iudges and Iurists
of England, have not resolved the proceedings of ecclesiasti-
call courts to be lawfull; and disallowed the notorious con-
tumacie of those men, that refused notwithstanding upon
their owne vaine conceits to haue their

4 *Quere*, whether the booke of *Fenner*, that is intituled *for*
cratologia, and came forth with the Pythagoricall allow-
 ance of *T. C.* containe not strange diuinitie? and whether it
 be likely, that the resolutions of the consistorie shoulde be
 more leamed then the positions of two such omniscient di-
 uines?

5 *Quere*, whether it bee not reason to make *T. C.* recant
 those dangerous opinions he hath published in that booke,
 and whether those that made the newe communion booke
 are not to be called in question for publishing of new confes-
 sions of faith, and new doctrine?

6 Let also great inquiry be made, by what law or title the
 church aldermen do claime so large authority both in eccle-
 siasticall and domestical matters, as lately they haue taken
 vpon them in some churches?

7 *Quere*, what is become of the acts and memorials of
 the consistorie, that is supposed to haue beene both in the
 Church of God vnder the lawe, and vnder the Gospell? and
 what may bee the reason, that so famous men should neither
 haue their names, nor doings mentioned in any historie, ho-
 ly, or propheticall or other writing?

8 *Quere*, whether such as suffer their children to die with-
 out baptisme, because the time of the assembly of the congre-
 gation cometh not betweene their birth, and death, are not
 guilty of contempt of baptisme? and whether they that teach
 this doctrine bee sound christians? that rather then they will
 breake a consistorial rule, will suffer christians children to de-
 part without the badge, and marke of christianitie?

9 *Quere*, whether they that call those scriptures, which are
 commonly called Apocryphall, lies and fables, doe therein
 declare themselves to be against the iudgement of leamed men, of
 modestie of wight persons: seeing the fathers of olde time, and
 diuers leamed men of our times also doe honor them next
 after the Canonickall scriptures? and whether *T. C.* would not
 take it in euill part to haue his voluminous replies called

lyes and fables : which notwithstanding are farre inferior to the worst part of the Apocryphal scriptures?

10 *Quere*, whether the consistoriall constitutions doe not bring into vse the iudiciall lawes of Moses : as for example that of retaliation, of capitall punishments of adulterie, and blasphemie, and whether felonies, that were by Moses lawe punished ciuilly, may not be punished with death? and whether that the Consistoriall faction doeth not deny her Maie. tie power to pardon offenders, that by Moses iudiciall lawes are to be punished with death?

11 *Quere*, how it happeneth, that the disciplinarians shame not to speake against Bishops, which themselves deny not to haue bene euer in the Church since the Apostles times, and which we offer to proue to haue authoritie by the word of God, seeing they commend a fond, and new found gouernement, that hath neither authoritie of lawe, nor confirmation by ancient practise: the lawes whereof are most absurde and vnreasonable?

12 *Quere*, by what authoritie they interpre the wordes, *Dis Ecclesia*: and *presbyters qui bene præsunt*, &c. and the wordes of the Apostle, *1. Cor. 12. 28. & Ephes. 4. 10. & Rom. 12.* contrarie to all the ancient fathers, to histories, to themselves, yea contrarie to the text it selfe, and common reason?

13 *Quere*, why Ministers should not be forced as well to subscribe to the gouernment of the church of England, as the ministers of France to the French discipline, they of *Geneua* to the ordinances of *Geneua*: these being so lately inuented, and established, and hauing so notorious exceptions against them, and being no way to be compared to the orders of our Church, for authoritie, antiquitie, or other good condition or qualitie?

14 *Quere*, whether the Consistorie decreeing and proceeding contrarie to the discipline of France, and *Geneua*, and their new Zion is to be allowed, or obeyed? and whether euery acte of the Consistorie be lawe to binde the rest of that

congregation? and if it be, then what certaintie can be in that gouernement? and whether that gouernement be not worse then papall, seeing the Popes proceede according to their owne lawes: these fellows will not be bounde by any lawes, neither of their owne, or others? 15. *Quere*, if the Consistories sentence be the sentence of the Church, whereunto euery one is to obey, and he that obeyeth not to be holden as a heathen, and publican, how it chanceth, that the Synode sometimes is so bolde, as to reuerse the Consistories sentence, and not to holde the disobedient, as a publican and sinner?

16. *Quere*, if by the wordes, *It shall not be so with you*, all power of ordination, iudgement, making, and executing of orders, deposing of ministers, and such like authoritie be taken from Bishops; by what reason the ministers of the new discipline in their new Consistories, and Synodes take on them so peremptorily to put in and out, and to make lawes, and to determine most absolutely, and imperiously?

17. *Quere*, what time of the yeere, and vnder what signe the resolutions of the Consistorie are most ripe? viz. whether when the sunne entereth into *Aries*, or *Capricorne*, or in haruest time, or midsummer moone? and whether a madman that hath *Lucida interualla*, as one of the authors of the petition hath, bee a sound man to make a pillar of the Consistorie, and what order is to be taken for such men, when *Luna* is predominant in their heades?

18. *Quere*, whether it be a matter tolerable and beseeming wise gouerners, that clownes, and men of occupatiō, should determine matters of religion, or that ideots should iudge of lawe, and gouerne all matters ecclesiasticall, and by what rule of diuinitie it may be surmised, that an ignorant man being chosen an Elder, shoulde sodenly be endued with new graces, and as *Th. Carr*, the great disciplinarian patriarke saith, become a new man, as if he were new perboyled in *Pele* his tubbe?

19 *Quere*, When the Consistorie consisteth of 13 good men and true, whereof fixe looke one way, and seuen another; *Quere*, why the odde voyce should make the sentence of seuen, to be the determination of the Church? and whether this be not an odde discipline, where one odde man maketh a determination to be called the Churches determination?

20 *Quere*, by what lawe Doctors, Pastors, and Deacons make one corporation, seeing in no place of scripture they are mentioned together, nor by any authoritie or commission are linked together?

21 *Quere*, by what authoritie the Ministers of forreine churches take on them to prescribe formes of discipline, and new lawes vnto our Church, seeing they teach, that all churches haue equall power? and whether this be not a foundation to a new popedome?

22 *Quere*, whether all the errours of *Barrowisme* doe not folowe, and may be concluded of *Th. Cartw. Wat. Tr. and Dud. Fenners* positions? and whether this sort of men is fit to deale with those sectaries, and ought not rather to be driuen to make a publike recantation of their soule opinions?

23 *Quere*, in case a musterd seller, or chandeller should be chosen a churchalderman, and thought worthie to iudge of the highest matters of religion, who should all that while furnish the common wealth with musterd, and candels? and whether that their sentences would not saue a ranke of musterd, and tallowe: and how many candlefellers or men of occupation, they finde to haue bene present in Synodes of olde time, at the debating of pointes of religion?

24 *Quere*, whether the disciplinarians doe not flatly deny the principall pointes of her Maiesties Supremacie, and take from her power to ordeine rites, and orders, for the church, to nominate Bishops, to appoint Ecclesiasticall commissioners, and to delegate learned men to heare the last appeale from the Ecclesiasticall courtes, to call Synodes, and other authoritie giuen to the prince by the lawes

of England; and endeavour to bring in forreine lawes; and iurisdiction repugnant to the statutes of supremacie, and her maiesties prerogatiue; and the lawes and liberties both of the Church, and all her maiesties subiectes?

25 *Quere*, if the establishment of the consistoriall discipline in the Church of England, would not ouerthrowe infinite statutes, most of the Common lawes; diuers courtes of Iustice, the two Vniuersities, and innes of court, and finally the whole state? and whether the Vniuersities in places where this discipline is entred, be not decayed, and the state shaken; notwithstanding that the power thereof by diuers lawes contrarie to the rules of discipline is abridged?

26 *Quere*, how many sound diuines or learned men there are, that haue bene bredde in the places where this discipline is receiued? and whether they haue not parted the Church goods among themselves where they were masters, as the soldiours parted Christes coate, giving some little portion backe againe of the whole, least they should liue all together without religion?

27 *Quere*, whether it be likelie, for the vaine hope of a hundred poundes pension, depending on the vncertaine pleasures of marchants; men of occupation; and husbandmen, that yong men of towardnes will giue themselves to the studie of diuinitie? and what braue youthes are made ministers within the disciplinarians iurisdiction?

28 *Quere*; how the spoyles of the Church which those men haue made in all places where they rule, are bestowed? and what portion thereof is come to the maintenance of learned men, or learning?

29 *Quere*, what commodities her maiestie doth receiue now by renthes, subsidies, first fruites, parronages, lapses, custodies of bishops temporalities, and how much the same amounteth vnto: likewise, what seruices she hath now by the Ecclesiasticall state, and their followers? and whether shee should not loose both great reuenues, and make many faith-

full seruitors vnable to serue her, if this inkepot discipline, shoulde come in place? and if any man say, that the same should be bestowed vpon noblemen, and knightes, and gentlemen that should succede in the place of others, let inquirie be made, whether some puritane dame doe not spend in apparell, more then the reuenues of diuers cathedral churches? and whether it would fall out, that the reuenues of the Church would bee wasted vainely, which now maintaine manie able men to doe the prince seruice?

30 *Quere*, whether in all places where the factious disciplinarians haue set foote in this Church, they haue not set the people against their pastors, and deuided the people among themselues, and hardened mens heartes, and made them without naturall affection, and lifted vp their followers in pride and vanitie, and made the people farre worse then before, and sought nothing but their owne profite and advancement?

31 *Quere*, whether it be not a dangerous point to this Church, and state, that we are so much vrged by some to imitate the course helde for reformation by them of *Geneua*, and Scotland heretofore: considering the dangerousnes of their plattes, and the effectes that followed vpon them, and the vnfounde diuinitie whereupon they are grounded?

32 *Quere*, by what point of discipline they of *Geneua* expelled their Bishop and liege Lorde, and right Countie of *Geneua*? and what reuenues of the Church they seized into their handes, and what portion they allowed backe againe to the poore ministerie? and whether it bee not capitall in that state, to speake for the estate of Bishops? which pointes cleared, it will appeare, what reason they had first at *Geneua* to inueigh, and declaime against the state of Bishops.

Quere, whether the peremptorie dealings of the ministers of *Geneua*, and some others adhearing vnto them, and the greedie sacrilege of their abbettors, and followers, and the vtter subuersion of the ecclesiasticall state, which this anti-

scholasticall, and fantastick discipline doeth euery where worke, haue not greatly hindered the reformation of religion in France, and other places, and is not still likely to hinder the same, vnlesse the same be newly recocted, and reformed?

34 *Quere*, whether the disciplinarians doe not deliuer doctrine as dangerous to princes, as *Rosse, Sanders, Allen*, and other papistes: namely concerning excommunication, & deposing, and murdering of princes that withstand the religion and reformation, which eache of them respectiue desireth?

* History of
the Church of
Scotland. pag.
213.

35 *Quere*, whether ¹ *Knox* saide truely of *Caluin*, and certeine other Ministers then residing at Geneva? and if hee reporte their doctrine truely, whether they holde a sounde point of doctrine, teaching, *That it is lawfull for subiectes to reforme religion, when princes will not: yea rather then faile, euen by force of armes?*

* Ibidem, pag.
217. 234. 256,
& 258. &c.

36 *Quere*, whether *Iohn Knox* and other his adherents, grounding theselues vpon the foresaid opinions concerning violent reformation, did not by private motion without any authoritie put in practise a strange manner of reformation in Scotland? and whether our disciplinarians doe not intend such a practise in England? and if they doe, whether they thinke, that this course of theirs, and these their rules of discipline, will stand with Gods word, or good orders?

37 *Quere*, whether *Beza* was not the author, or amplifier, or publisher of the booke intituled, *De iure magistratuum in subditos*, a booke which ouerthroweth in effect all the authoritie of Christian kings, and magistrates; and whether the doctrine therein contained, be agreeable to the rules of that discipline, which they haue so greatly vrged? the same question is demaunded likewise of the booke called, *Vindicia contra tyrannos*; a booke conteining no lesse pernicious matter against the authoritie of princes, then the former.

* Epist. to
Goodmans
booke.

38 *Quere*, whether *Master Whittingham* that affirmed, that the doctrine of *Goodmans* booke printed at Geneva in queene *Maries* time against the regiment of women, and for exciting the

the subiectes to take armes against their soueraine princes in some cases, was approoued to be good, and godly by the chiefest men of learning, that then were in the citie: said there in either truely, or Christianlike, or schollerlike?

39 *Quare*, whether the English disciplinarians, that were at Geneva in Queene *Maries* time, according to the said ¹ doctrine then there allowed of, taught not, that the nobilitie of England ought to reforme religion by force of armes, and rather then faile, to put the *Queene* then ² reigning to death, and whether this point of doctrine, be one of the principles of their new discipline, and disciplinarian kingdome, holden of most, and professed of those, that liue in free cities, and states not subiect to kingly regiment?

¹ Goodman
pag. 73. 74. &
sequ. and
booke of O-
bedi. pag. 99.
103.

² Goodman
pag. 99. 114.
115. & sequen.

40 *Quare*, whether the said disciplinarian ministers and faction, did not holde it lawfull according to the said ³ Geneuian doctrine, That if the noble men and other inferiour Magistrates for feare should refuse to reforme religion, as is mentioned, the rest of the people might doe it in that case themselves, and whether this be one of the axiomes of *Th. Cartwrightes* heavenly Canaan, and a decission of their disciplinarian Synodes.

³ Goodman.
pag. 196. 87.
14. 35. 183.
180. 184. &c.

41 *Quare*, whether the saide disciplinarians haue not taught publikely in bookes, rather then there should be no reformation, such as they wished, that any priuate man hauing forsooth, some extraordinarie motion or calling (like that percase of *Hacket*) might embrewe his handes with the blood of his ⁴ souereigne, according to the examples of *Phineches*, *Abud*, and such like?

⁴ Goodman
pag. 115. 199.
100. of obedi-
ence pag. 116.
110.

42 *Quare*, whether the reasons alledged by *Knox* and *Wollocke* against their gouerner, and prince, were sufficient in lawe for the subiectes to depose a prince, or a regent lawfully appointed, as they and others their followers did depose the Queene regent of Scotland? and whether their allegations, and doings are catholike rules of discipline for all times, and all Churches?

¹ Histor. of
the Church
of Scotland
pag. 272. 278.

43 *Quare*, whether by the lawes of their new disciplinarian

rian kingdome, it be not as lawfull to depose a king from his seate and crowne for dealing in causes ecclesiasticall (which they entend and affirme not to belong vnto him) as it was for them of *Genewa* to depose their Bishop, which was also their liege Lorde, and prince, from his temporall right and liuing for ¹ dealing in causes temporall: albeit he was by right of succession the temporall Lorde, and owner of that citie and territorie?

* Caluin to
Sadolette.

* Declara-
tion, anno
1582.

45 *Quere*, whether the doctrine contained in a ² Declaration printed in Scotland, why certeine persons mere subiectes, repaired to the king at Ruthuen (one reason of that forcible repaire being, for that the king tooke vpon him to deale in causes ecclesiasticall) be agreeable to the catholike doctrine of their discipline?

46 *Quere*, whether the practises of certeine ministers in Scotland, for the setting vp of their presbyteries by their owne authoritie, as they are described in the actes of parliament helde there, Anno 1584, and published in print, are iustificable by Gods word, and to be helde for generall rules of discipline, to be practised in all Churches?

3 Chronicle
pag. 446, &
sequent.

47 *Quere*, whether that be true, that is reported in the Chronicles of Scotland, which were perused and corrected by Master Randal, Master Killigrew, and Doctor Hammond) concerning an other repaire made to the king of Scots at 3 Sterling: and whether the proclamation there mentioned, and the actions which then happened be agreeable to the doctrine of the disciplinarian kingdome, taught euery where, or els be but extraordinarie and locall, and onely there to be put in practise, where there is good opportunitie offered?

48 *Quere*, whether in France, & other where, they doe not contrary to their opinions for violent reformation of religion, by noble men, by the people, or priuate persons, taught for 30. yeeres and vpwards, teach now, that it is viterly unlawfull for any subiect, vnder any pretence of any extraordinarie calling, so much as once so lift vp a hand against the prince, be he tyrant, idolator,

lator, heretike, or whatsoeuer? and whether all the rest of the rules of this discipline, may not as well be varied by time, as this point is? and what maner of disciplinarian faith this is, that is so inconstant and variable, and teacheth sometime obedience, and sometime rebellion, and like the Chamelion, changeth haire so often?

49 *Quare*, whether the wise authors of this petition doe not shew themselues to bee of the disciplinarian humour in this behalfe, when they thinke it a sufficient answer in the behalfe of *Beza, Hotoman, Buchanan*, and others that published the doctrine of stirring the subiectes against their princes, to say, *they write so against popish kings, and such as they iudged tyrants*: as if it were lawfull for subiectes to rebell against such as they account tyrants, and popish kings? and of *T. C.* let it be enquired, whether he allowe this for one of his cananiticall lawes of his celestiall consistorie?

50 *Quare*, whether *T. Cartw.* and certaine ministers here his disciples, haue not entred into the very same course for setting vp the discipline in England, which you shal perceiue by the sayd declaration, by the acts of parliamēt in Scotland, *Anno 1584*, and by the English Chronicle, that the ministers of Scotland rooke for the establishing of theirs?

51 *Quare*, whether *T. Cartw.* and his fellowes haue not assembled in synodes and conuenticles, & there enacted and decreed certaine rules and orders contrary to her Maiesties lawes, and subscribed them, and procured others to subscribe them, and by all meanes possible gone about to put the same in practise, and to discredite and disgrace the lawes of her maiestie, and ancient gouernement of the Church?

Quare, whether in their saide 3 orders, which they call holy discipline, all authoritie in Church causes is not taken from the Christian magistrate, and giuen to their assemblies, in so much, that the magistrate is not so much as mentioned when they talke of their new gouernement? and how the sufferance of these proceedings may stand with the maie-

¹ Conspiracy for discipline, and examinations taken in the Starre Chamber, published.

² Examinations in the starre chamber, and their own confessions.

³ Disciplina sacra.

stie of a prince, or with good gouernment?

* T.C. pag. 161
& 163 & 417.
& discousf. of
eccel. discip.
pag. 148. 174.

53 *Quere*, whether they doe not holde, that the authoritie which they challenge to their elderships, and synodes, by their said platformes of discipline, is neyther increased, nor diminished, whether the prince bee Christian, or heathen; and teach not that the authoritie of a Christian, and heathen prince is all one in ecclesiasticall causes?

* That is in
part euident
by their con-
fessions in the
Starre cham-
ber.

54 *Quere*, whether Cartwright and his adherentes haue not put the greatest part of their discipline in praetise without her Maiesties consent, and authoritie? and without the sayde authoritie haue not both made secrete meetings, and established diuers orders, and broched new opinions all contrary to the doctrine, confession, and gouernement of the Church of England?

55 *Quere*, by what presumption he durst do these things, and why hee is not to bee brought publicly to submit himselfe for his faults?

56 *Quere*, whether the same seditious proceedings bee not condemned in certaine actes made in the parliament holden Anno 1584, at Edenborough?

* In his exa-
minations in
the Starre
chamber.

57 *Quere*, whether Th. Cartwright sware truly in the Starre chamber, when hee affirmed on his oath, that hee neuer affirmed or allowed, that in euery Monarchie there ought to bee certaine magistrates, like the Spartaine Ephori, with authoritie to depose the king, &c. seeing the same poynt is in Fenners booke of diuinity, which one Th. Cartwr. in his Epistle printed before the booke doth highly commende, as a profound piece of diuinity, and heauenly axiomes, and doctrine? and whether if some other had so sworne, they should not haue bene accounted periured persons? and whether by the rules of discipline, it bee lawfull for the edification of the consistorie to sweare falsely?

* Examinati-
ons in the
Starre cham-
ber published.

58 *Quere*, whether haue not T. C. and his fellowes confessed on their oathes, that notwithstanding all the care that hath bene taken for the perfecting of their platformes of discipline, they

are not yet resolved upon diuers poyntes? and whether they did wisely to subscribe such orders, or ductiffully to animate certaine gentlemen of meane vnderstanding in diuinitie, to present such a confused platforme of gouernment to the parliament, that it might bee confirmed, and receiued throughout the whole Realme? and finally whether wisdom will permit men to dissolue a state alreadie settled, and to embrace a gouernment whereupon the authours themselves are not yet resolved, nor I thinke neuer will bee, and wherein others see notorious absurdities, imperfections, and iniustice?

59 *Quare*, whether T.C. and his companions doe not say ^{Ibid.} vpon their othes, *that they meant to haue bene suiters to her Maiestie, and the parliament for the approbation, and receiuing of their draught of discipline before mentioned, and subscribed vnto by them, as a perfect plat of Church gouernement commanded by Gods worde*, doe not vtterly disclaime by a most necessarie implication her Maiestie to haue any preheminance and authoritie in ecclesiasticall causes, by the word of God, seeing they doe not giue any authoritie in their perfect platforme to the ciuill magistrate, but yeelde all that power to their synodes, classes, and consistories?

60 *Quare*, whether Cartwr. and some of his fellowes, and followers, were not acquainted with the conspiracie of *Hacket, Coppinger, and Arthington*, and whether they knewe not, ^{Conspiracy for reformation.} that these fellowes, or some of them pretended to haue an extraordinary calling, which mooued them to attempt matters which might proue very dangerous to themselves? whether also they knew not, that the actions which they purposed to attempt by vertue of their calling did tend to their deliuerance out of prison, and to the aduancing of the holy cause, as they tearmed it? and thereupon at *Coppingers* motion did holde a puritane fast wherein prayers were made to this effect, *that God would giue successe to all such meanes, as should bee attempted for the deliuerance of the Saintes of*
Dd 4 God,

God, and for the setting vp of their discipline? and whether *T. Cartw.* and the wiser sort of them, did not vnderstand whereto the foresaid allobrógicall, and outlandish propositions of extraordinary callings did tend? and finally whether all these points being such as in part haue, and may fully bee prooued against them, they haue not bene mercifully dealt withall, and farre aboute their desertes, that they haue not hitherto bene called therefore in question?

61 *Quare*, whether *Cartw.* and his fellowes challenging to their eldership authority to excommunicate princes, are not like to prooue as dangerous subiectes, as *Sanders*, *Parsons*, or *Card. Allen* are in maintaining the popes excommunication of her Maiestie? and whether it is not likely considering the inconstancie of their discipline, and resolutions, that although some of them pretend now to holde, that excommunication doth not take away ciuill subiection, they will notwithstanding for their aduantage teach contrary to their present resolutions?

* Buchanan de
iure regni a-
pud Scot.
pag. 70.

* Buchan ibid.
pag. 56. 57.

62 *Quare*, whether some one of the reformed¹ brotherhood haue not mainteyned in bookes printed, that princes standing excommunicate, may bee put to death? and that when princes will not reforme religion, subiects ought to do it, and that saint² *Pauls* precepts of obedience to tyrants bind no further, then vntill such time as the people is strong enough to resist, & be able to master them by force of armes?

63 *Quare*, whether *Sanders*, *Rosse*, *Allen*, and other papistes, doe not in the behalfe of poperie maintaine the very same poyntes of rebellion, together with *Goodman*, *Whittingham*, *Knox*, and their teachers *Beza*, *Hotoman*, *Buchanan*? and whether both factions haue not made princes subiect to the people, and populer furie, and taught the same doctrine of the beginning of the authoritie of princes? the papistes seeking to erect their papacy, the disciplinarians endeuouring to set vp their papall presbyterie?

64 *Quare*, whether some of the doctors of this new discipline

pline doe not mislike with the titles of ciuill honour giuen to princes, as that of maiestie, highnesse, grace, and such like, and with the title of Lord giuen to Noblemen? and whether this poynt of discipline doeth not shewe, that these fellows meane to deale with Lordes in timé, as well as now they are busie with bishops?

Buchan. de iure regni.

65 *Quere* of master Egerton the renowned paraphraсте at the Blacke Friers, whether it be agreed vpon in any of their synoddicall assemblies, that it shall not be lawfull for her Maiestie, or the princes of this Realme, hereafter to goe to the Parliament with such honourable attendance, as heretofore they haue vsed the first day that it is holden, in that hee did write to his brother Fenne, as misliking the same, and sayde, that shee went thither *mirâ uallâ: quæritas*, that is, *with great ostentation and pompe*. which wordes Saint Paul vseth, condemning the vanitie of *Agryppa*, and *Beronice*?

* Eger. to Fenne.

* Actes 25. 23.

66 *Quere*, why Ecclesiasticall iudges may not proceede in causes *ex officio*, to examine men vpon their othes, as well as *Caluin* did at *Geneua*, who put the chiefe men of the towne to their othes, *whether they had danced, or no in widowe Balthazars house*?

* Caluins epistles fol. pag 64.

67 *Quere*, whether it be not as lawfull for euery consistorie to depose a ciuill magistrate from his place, as it was for *Caluin* to cause one of the findickes of *Geneua* for dauncing priuately in the widowe *Balthazars* house, to be deposed? and if dauncing be so punished, whether greater offences in princes shall not be more deeply punished?

* Ibidem.

68 *Quere*, whether that godly and zealous man of God, as they call him, *Giles Wigginton*, was not acquainted with *Copingers* pretence of extraordinary calling, and confirmed him in it? whether hee brought not *Hacket* first acquainted with *Copinger* and *Arthington*, and iustified vnto them *Hackets* pretended torments? and whether he was not acquainted with their cryes made in the streetes, and did not vnder his hand set downe certaine reasons to proue, that vpon oc-

* Conspiracie for discipline.

occasion men of extraordinarie callings might crye vp and downe the streetes? and whether also he made not certeine rimes, and caused them to be printed, and sent them abroade a little before Copingers, & Arthingtons proclamation, wherein is contained, *That a countrie clowne should teach a prince to weare a crowne?* And whether Hacket was not that clowne? and whether Hacket, Copinger, and Arthington were not with him in the counter the morning before they beganne to rise? and whether these practises and seditious rimeries be sufferable by the lawes of the Consistorie?

¹ Conspiracie for discipline.

69 *Quare*, whether Hacket in sondrie of his examinations confessed not, that the godly and zealous preacher of discipline Gi. Wigginton affirmed, *That if the Magistrates gouerned not well, the people might drawe themselves together to see a reformatiō made? whether Hacket casting some doubt, and as it should seeme mentioning her Maiestie, Wigginton answered not thus: you speake of a Queene of a maygame? whether Hacket also affirmed not, that if Wigginton were well sifted, he would declare matter of treason, which if the rest of his fellowes had not bene in time reuiciled, would haue cost a number of innocent men their blood? and finally, whether these be holy practises for the glorie of their discipline?*

17 *Quare*, whether Pet. Wen. writ not a letter to Copinger dated the 25. of Ianuarie 1590. wherein he taketh notice, *That Copinger was labouring about matters of importance, and prayeth that God would direct his labours both in matter and manner, and willeth him to vse good aduice, and then saith as Iosuah said sometime, but in a farre diuerse course: be bolde and of good courage, feare not to be discouraged? And whether he be not to be dealt withall, as an abettor to the foresaid treasonable practises, for the glorious cause of pretended sinceritie?*

² Note the brotherhood of puritans, whereto it tendeth.

17 *Quare*, whether Io. Thr. was not well acquainted with Hacket, Copinger, and Arthingtons intentes, in that Copinger writ thus vnto him: *My owne deare ² brother, my selfe and my two brethen, who lately were together with you in Knightsrider streete*

streete (he meaneth Hacket, and Arthington) doe much desire conference with you. the busines is the Lordes owne, and he doeth deale in it himselfe in a strange & extraordinarie manner in poore, and simple creatures. much is done since you sawe vs, which you would reioyce to heare of: Likewise let it be inquired, whether he be not an abettor, and concealour of their trecherous practices? and whether he holdeth that he ought not in conscience to reuile his deare brethrens treasons?

72 *Quare*, whether the said 10. *Thr.* did not write a letter with his owne hand to *Copinger* dated the 18 of the fifth moneth (he meaneth as I suppose May) which was little more then sixe weekes before the outrage committed by the new disciplinarian prophets? and whether in the same letter deuised as may be suspected in answere of *Copingers* letter, *He reioyceeth not, that Copinger would* ² *vouchsafe to call him brother: and saith, that as his being at London he heard some buzzes abroade of a sole, and singuler course, and wisbeth that all that beare good will to the holy cause in that perillous age, would take both their eyes in their handes, and be sure of their gounde, and warrant, before they stirred to put matters in execution. and proceedeth in these wordes: I know my good broiher that the greatest workes of the Lorde are wrought by the weakest instruments, &c. and therefore were it not for my sinnes, and unworthines, I could easily perswade myselfe in regarde of my weakenesse, that the Lorde might effect something by me, &c. but this worke that you speake of (howsoeuer the instrument be compassed with weakenes) must sure bee wrought by a more* ³ *sanctified heart, then myselfe can yet boast of. and therefore though in affection, and goodwill I ioyne, yet I resigne the honour of the worke to those that the Lorde hath more thereto enabled, &c. Salute good Giles with many thanks, whose debtor I am in the Lorde, blessing vpon Sion, confusion vpon Babell: Quare*, I say these thinges considered, whether the writer was not accessarie to the saide conspiracie, and a principall man in encouraging the actors which hee calleth brethren in their wicked courses? and whether all his

¹ This is the new absurd consistorian stile.

² All this is in his owne letter to be shewen vnder his hand writing.

³ A sanctified puritan.

Libels, and scoffes published vnder the name of *Martin*, as namely his theses, protestations, dialogues, arguments, laying men out in their colours, and all his doings tending to the aduancement of the holy cause, as they call it, did not tend wholly to an insurrection? and whether hee liueth not vnder mercifull gouernours, that call not the man to answer for his manifolde lewde demeanours, and trecheries?

73 *Item*, because the *Petitioner* standeth so much vpon *Vdals* innocency, refusing presumptuously, as it should seeme, any maner of fauour; let him also answer, whether the sayd *John Vdall* was not acquainted with *Hackets*, *Copingers*, and *Arthingtons* conspiracy, seeing that *Copinger* a litle before his outrage writ vnto him, that now the *Lorde* had inabled him to fight, to vanquish, and overcome: that there was a Fast towards, in regarde of the afflicted *Saintes* in generall: that hee assured himselfe, that God would blesse the actors in that cause: that there were diuers out of prison lying hid, that in this great worke were hammering their heads, &c. that the same persons hoped in short time to be brought forth into the sight of *Vdals* brethren, and their owne enemies: that their presence would daunt the enemies: that God would use base men in this worke, lest men should boast in the arme of flesh: that *Vdall* and his fellowes in prison should cheare up their hearts, for that the day of their redemption was at hand; and that *Vdall* and his fellowe prisoners should pray, that the hande of the *Lorde* might bee strengthened in them, whom hee had appoynted to take parte with them: quare I say, whether *John Vdall* bee a loyall subiect, that neuer reueiled this practise, and bee not guiltie of farre more, then euer was layd to his charge?

74 *Quare*, whether the *Petitioner* hath not greatly hurt the cause of his clyent *Vdall*, in giuing occasion to mention matters forgotten, and almost forgien? and whether taking parte with such fellowes, himselfe is not an abettor of felonie?

75 *Quare*, whether *Th. Cartmyr.* and master *Eg.* did not re-

ceiue letters from the conspirators concerning their designe-
ments, and did not also conceale the same, and whether the
sayde master Eg. did not will the sayd Copinger to take heede,
that hee did not by his extraordinary calling, hinder the
great cause in hande, and say, that himselfe being an ordinary mi-
nister, could not iudge of Copingers extraordinary calling, and
therefore would be lothe to quenche the spirit in him? and whether
these paraphrases of discipline stand with loyaltie, and good di-
uinitie?

76 *Quere*, whether T. C. and other disciplinarian tea-
chers did not allowe the scornefull, and wicked Libels of
Martin, and also certaine seditious dialogues, and inuectiues
against the State: and whether their disciplinarian rules will
beare them out in it?

77 *Quere*, whether any is receiued, or suffered to conti-
nue in the Ministerie at *Geneua*, or other places gouerned like
Geneua, that make any scruple to subscribe, or that speake a-
gainst the orders of the church? and whether certaine were
not banished for speaking against wafer cakes there vsed in
the Communion, and against Vsurie? and why factious per-
sons should be more tolerated here, then there?

78 *Quere*, whether it bee a good course to suffer such as
doe giue probable suspicions of discontentment with the
present gouernment, to continue gouernours of houses in
Vniuersities, and to teach schooles, and to liue in the church,
which like vipers they seeke to ruinate?

79 *Quere*, whether to procure a learned ministerie, it be a
good course to take away the rewardes of learning: or at least
to hazard them?

80 *Quere*, howe many of the ministers of the reformed
churches haue bene able to leaue so much to their wiues, as
to maintaine them from beggery, and whether any man of
worth can endure that indignitie? and whether diuers for
want of maintenance haue not fled the countrey of their ha-
bitation?

81 *Quare*, of *Pierce Putcase* whether a pretended godly brother, as you would say *W. St.* who is a piece of the putcase himselfe, may by the lawes of this new kingdome, like a thiefe or murtherer, lye in wait by the high way side, with a caliuier ready charged, to kill his owne naturall brother, for that he is not sufficiently reformed, and whether this bee a sanctified course to win a brother to this melancholike reformation?

82 Let also this question bee asked of the same man, whether a disciplinarian brother, whose wiues misgouernment made the poore man runne home woode, may notwithstanding bee choosen an alderman, considering that *Daneau* a noble founder of this kingdome, doth in his Isagogicall instructions holde, that all the preceptes that *Saint Paul* giueth of bishops, *1. Tim. 3.* doe belong to the Church aldermen also, and that it is required that such bishops bee chosen as can gouerne their house well? and whether it is likely that he that hath no good head in gouerning his own house, shoulde haue a good iudgement in gouerning of the Church?

83 Item, *Quare* because he asketh me certaine questions of *Th. Cartw.* by what mysteric, or science, a man may sell a coate and 3, or 4, acres of land, and purchase therewith 3, or 4, good lordships, and yet maintaine a great familie, and fare well, and keepe a pedant to teach his daughters Hebrew?

84 *Quare* also, whether a learned sister that vnderstandeth some Greeke, and Hebrew, may not in a parlour, at a tables end paraphrase vpon a text of scripture, according to the puritane stile, and whether it bee not time for schollers to turne their bookes, when such paraphrastes take on them to abuse scriptures?

85 *Quare*, whether a trencher paraphrast, I meane these that degorge discipline at full tables, and vpon full stomacks at their benefactors tables, are among those callings that *saint Paul* mentioneth *Ephes. 4.* and not being, how they dare presume

presume to handle Gods word, or rather to abuse holy scriptures in that sort?

86 Item, whether certaine sanctified brethren attained vnto 24, carrats of perfection in discipline, may notwithstanding practise the Lewes trade, and take 10. in the hundred, or more if they can get it?

87 *Quare*, whether a man may growe to that extremitie of burning zeale, that euery spring and fall, hee shall renewe like a serpent that casts her skinne, as it happened to a certaine holy brother at *Ipswich*, not many yeeres since? and whether such a fellowe bee a fit man for a president of a consistorie?

88 *Quare*, whether as in *Italie*, and other places of poperie, desperate wicked men runne into the order of *Theatins*, or *Capussins*, so certaine desperate bankruptes and loose liuers, as *Bar. Fl.* and others haue not suddenly runne into puritanisme? and whether this alteration be not *ab extremo in extremum*, by such men as will neuer come into *mediu*?

89 *Quare*, why it shoulde bee more lawfull for ignorant men of base trades, and occupations to take vpon them the decision of matters of religion, and gouernement of the Church, then it is for *Giles Wig.* to become a malster, and others of this sect to become grasiers, and wiredrawers, and such like?

90 *Quare*, whether a godly brother rather then by selling his liuing he shoulde ouerthrowe his house, may not by the lawes of discipline breake bond, and promise, and suffer his sureties to lye by it? and in case the synode should determine, that he should pay some part, whether godly brethren, or prophane men should first be payd, or else for auoyding of controuersie none at all?

91 *Quare*, of *Iohn Penry*, whether if *Moses* lawes haue such continuance as they holde in this newe kingdome, a bastard that is excluded out of the sanctuarie, may notwithstanding

The doubt of
Th. Sa. of
Yorkshire.

ding intrude without calling into the ministry?

92 *Quare*, of those that make bragg of *T. Cartw.* great worke against the *Rhemists*, whether there be not many points therein contained contrary to all the fathers, to the faith of this church, and all good Diuinitie? and why if all bee cleare with him, he dare not suffer the same to abide the censures of lerned men? and lastly, why any should wonder that such thinges should not bee published, considering what dangerous effectes doe followe printing of hereticall, and schismaticall bookes?

93 *Quare*, if a certaine consistoriall president at *Middleburg*, when a marchant did pursue a certaine seruant of his in lawe for wasting his goods, did not threaten to excommunicate him, if hee would not desist his pursute, and let fall his action, and whether the consistory may serue for a sanctuanie for bad men and bankruptes, if they professe reformation? and whether this maner of discipline dissolue not ciuill contractes, and hinder iustice?

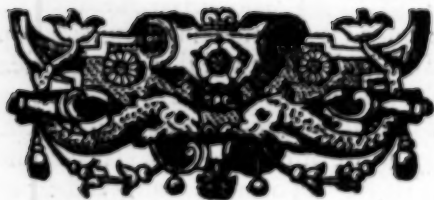
94 *Quare*, whether that the Church-aldermen doe not sometimes meddle in domesticall matters betwixt man and wife, and hinder the fathers correction of his seruantes, or children? & whether this be not a way to dissolue the bonds of nature, that giueth authoritie in this case? and whether the discipline that vseth this practise bee not vnciuill and vnaturall?

To conclude, *Quare* if the *Pur-case* had not done his clyents, and their cause more good by silence, then by this weake, and calumnious speaking?

It were an easie matter to frame infinite Questions of like sort: but these may suffice, to let the Libeller see his owne folie in charging others, when himselfe, and his fellowes lye so open. besides that, I would not weary thee, nor disfurnish my selfe of new matter against the next encounter. let him article, and play the *Pur-case* as oft as hee will, hee must not thinke hee shall walke vp and downe without answer, or control.

controulment, in the meane while, because he appealeth to ^{742.33.} iudges, and craueth iustice, to them wee are also content to submit our cause, and doe also instantly craue iustice. iudge we beseech you, all to whom the execution of iustice is committed, whether it bee fitting, that such as declame against the ancient gouernment of the Church, euer known to bee in the Church since Christes time, against the authority and preheminence of her Maiestie; against the lawes of the realme, against the proceedings of Iudges, and take on them to controll, and reuerse the sentences of iudges, and seeke the trouble of the realme, and maintenance of leud factions, destitute of all ground: and speake for a gouernement neuer heard of, but of late, nor that hath confirmation of scriptures, or fathers: iudge I say, whether such intollerable pride, arrogancie, and disloyalty, and those that defend these trecherous dealings, and opinions in bookes printed in corners, and without names, are longer to bee suffered? the inconueniences that may growe of these courses, I neede not to declare vnto you, that are men of iudgement, and experience: the weakenesse of their cause I haue sufficiently declared. Why shoulde you doubt to doe iustice in so cleare a cause, and against such factious persons? For their doings haue no defence, nor their doctrine support, beside the bare opinions of *Caluin*, & *Beza*, & their followers. they haue not so much as any ground of reason: no scripture, no father, no history, no law, nor example of good gouernment: nay they haue both scriptures, fathers, histories, lawe, and reason against them most euidently, and clearely. and therefore I say againe, let iustice be done. if any of the ecclesiastical state haue done against law, let them bee punished: let not religion, and learning suffer for the sinnes of particulars: the innocent, let them not be disgraced for others offences: nor let malice, and faction, and sacriledge preuayle against lawe, and gouernement. that which is now their case, may be likewise yours. if you respect

not the cause of men : yet consider that it is the cause of religion, learning, and government : and so proceed as you may declare your selues to be men carefull of the aduancement of religion, and learning, and the maintenance of a peaceable gouernment. and God so blesse you, as you shew your selues studious of religion, learning, peace, and iustice.



An Aduertisement to the Reader.



Hereas in the former discourse somewhat hath bene said in answere of the Petitioners lewd calumniation concerning the triall of Iohn Vdal, and the iudgement not long since pronounced against him, which he pretendeth to be disorderlie and iniurious, it may be that such as list to canill at such things as they mislike, will take exceptions against the same, as if I meant to abase the high authoritie of Iudges, or make the proceedings of the highest courtes of Iustice an argument for the rude populasse to dispute of, or to subiect the ordinarie trials of law to the controlment, or at least canuases of priuate persons. Least any should either in this behalfe except against me, or enter into any such conceit of me, I thought good expressly here to aduertise thee, that both my words and meaning are contrary.

Concerning matters of common Iustice betwixt partie and partie, I know that no iudgement is reuerfed but by writ of error, and that in matters concerning the Crowne, the verdicts of Iurors and sentences of Iudges for the Queene are finall, and that the lawe doeth intend, that Iudges and Iurors will proceede with that indifferencie and equitie, that it will not haue their doings controlled nor examined by priuate persons. Neither is it any part of my meaning to call any law in question, or controll the doings of so honourable persons as in that fact sate Iudges. Nay this is the thing which I doe so much reprehend in the Petitioner and his faction, that most saucilie and arrogantly they take vpon them to examine the doings of Princes, the actes of Parliament, the sentences of Iudges, the verdicts of Iuries, and all recordes of Iustice. Neither is there any companion among them so base, but he taketh to himselfe libertie to censure and controll Princes, Parliaments, Iudges, Lawes, yea whatsoeuer, and whomsoeuer. Among others, the author of the Petition hath behaued himselfe as presumptuouslie and proudly, as the best. Ignorance

An Aduertisement to the Reader.

Agastia p. 10
812.

belike maketh him bolde: the rather for that it is ioyned with impudencie. What through presumption, and what through impudencie he hath taken vpon him contrary to the Iurors verdict and Iudges sentence, to prooue that Vdall offended not against that statute of 23. Eliz. cap. 2. whereupon he was condemned.

This notorious impudencie and presumption, I thought good to lay open before mens eyes: and therefore hauing undertaken to answer others of the mans bold assertions and forged accusations of the ecclesiasticall state; I thought it not amisse withall to touch his bolde demeanour against Iudges, and presumptuous censure of their proceedings. Not that I meant to make priuate men Iudges of their superiours, but that you may see the boldnesse of them that spare none that are not of their humors, and reuell both at the Clergie and Iudges.

If the proceedings of magistrates were not iustifiable, yet is this course which these men haue taken very lewd and offensiue. How much more offensiue then will it seeme, when it appeareth that the Iudges haue proceeded according to lawe, and done not onely Iustice, but shewed great mercie and fauour to the partie? And how wiselie doeth this man seeme to haue pleaded for his client, when I thinke himselfe will not denie, but that hee liueth rather by mercy, then demerite? that he was most fauourably dealt withall, all that were by will witnesse, and himselfe I thinke will not denie: if he should, very many arguments would conuince him.

For first, where as diuers seditious Sermons might haue bene objected against him, he was onely endited for his seditious practises in making and publishing the booke of Demonstration of Discipline, as they lewdly call it.

Secondly, where as Chatfield could haue spoken diuers things very materiall against him, yet was he not forced to come to testifie.

Thirdly, being by diuers witneses, and great euidence, sufficient to induce any Iury to passe against him, conuicted, yet had he this fauour, to be asked, for satisfying the Iury, and clearing himselfe, if he would take it either vpon his conscience, yea or credite, that he was not the author of that booke, and might percase haue escaped, if he
durst

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durst haue denied so plaine a matter. Seeing he would neither as-
firme vpon his conscience, nor credite, his innocencie, what reason
should the Iury haue had, to take that vpon their conscience, which
the partie himselfe would not take either vpon his conscience, or cre-
dite?

Lastly, although the sentence of law be passed vpon him, yet is the
execucion of lawe differred. Wherein if he doe not acknowledge him-
selfe fauourably dealt withall, all men will acknowledge, that he de-
serueth litle fauour.

The obiections and exceptions brought by the Libeller, are most
false and frivolous. He saith, that there is no offence in writing
that booke, committed against the statute of 23. Eliz. cap. 2.
Wherein he crosseth the sentence of the Iudges, and most wise men of
this lande: and speaketh most euident vntrueth. For if railing a-
gainst her Maiesties Ecclesiasticall lawes, and gouernment, and see-
king the subuersion of it, be no offence, these fellows challenge to
themselues great impunitie and licence.

He auoweth, that it was not prooued that one man made
the booke, and the Epistle before the booke, which is not mate-
riall: for if he writte the wordes contained in the enditement, then
was the enditement truly found. Besides, the same is vntrueth: for
it is absurd to surmise, where a man publisheth a booke, that another
setteth to the Epistle. and he that made the Epistle, doeth in termes
auowe the booke. Neither skilleth it, that some haue thought that
Penry had his hand in it, for that doeth not hinder, but that Vdal
might also be a doer in it. But what neede we other argument to
prooue this withall, then that Vdal would not disauow either Epi-
stle, or booke? or what neede any dispute about the difference of the
Epistle, and booke, seeing the enditement compriseth both vnder the
name of booke, and both doe followe the title?

That which he saith, that he was conuicted for the Epistle,
and the euidence brought for the booke, is untrue: for the eu-
idence was brought for both. And very improbable it were, that any
should be condemned for matter without the enditement, or that

An Aduertisement to the Reader.

there should in the enditement be made a difference betwixt the booke and the Epistle.

These things considered, let all men iudge whether it be likely, that Iohn Vdal should be condemned guiltlesse? and whether the bare affirmation of a man lying desperately, should be taken against the deposition of witnesses, records of the Court, verdict of the Iury, and sentence of so graue and religious a Bench, especially the man being so guilty, and the case so plaine? His very friendes condemned him, and his owne conscience accused him. Chatfield deposeth, that he sawe papers in Vdals Studie, containing libellous matter, which himselve wished Vdal to make away: and confesseth, that Vdal saide to him in choller, that the Bishops had best to take heede howe they stopped his mouth, for if they did, he would fall on writing, and giue them such a blowe, as they neuer had in their liues. Which blowe could not be understoode, but of that whereof he was convicted. In his Sermons he fell often vpon the argument of his booke, which considered, with other circumstances, may shewe him guiltie: yea, and so guiltie, that being demanded by the Bench, he could not deny it: no, though he might haue saued his life by the deniall, and renunciation of the booke.

Seeing then all this notwithstanding, the mans innocencie is in a booke (publikely diuulged) defended against such notorious euident, and vpright proceedings; who doeth not see, that I haue reason to detest the notorious presumption of such censors? If any deserue blame, not they that speake in defence of iustice, but those that traduce it are to be blamed. That therefore which was well meant, without iniurie to any, receiue with fauour: and if in this matter thou wilt shewe signes of displeasure let not the innocent, but such as presumptuously reprehend, and by faction seeke to ouerthrowe lawe, and iustice, feele it.

Chatfields
deposition.

Faultes escaped.

IN the Epist. dedicat. pag. 5. lin. 7. reade, valued. pag. 13. l. 16. aldermen. pag. 18. l. 11.
 neuer was. pag. 20. l. 5. wisdom and learning. pag. 22. l. 1. contrarie. pag. 24. l. 1.
 themselves. line 11. doubt not. pag. 31. l. 17. learned. line 18. dele mar. pag. 82.
 line. 17. bring him vnder. pag. 84. l. 18. say it, nor. pag. 85. l. 1. worthie counsellour.
 pag. 91. l. 18. thinke. pag. 95. l. 13. now denieth it. pag. 107. l. 10. reproches. pag.
 134. l. 33. they are nought in lawe after their death or cession, if they. pag. 141. in
 margine, reade Rescues. page 155. l. 5. that there is no reason, that Th. Cartwright.
 pag. 167. l. 11. too wise. pag. 167. l. 13. as these are. pag. 181. l. 4. as good fellowes, as
 his deacons. pag. 90. l. 10. sinne, but.

AN
ANSWER TO
A CERTAINE LIBEL
SVPPLICATORIE, OR RATHER
Diffamatory, and also to certaine Calumnious
Articles, and Interrogatories, both printed and scattered
in secret corners, to the slander of the Ecclesiasticall
state, and put forth vnder the name

and title of a Petition directed to her

10. A maner how the
2. A protestation made by the for reformation, doe not stande as
of 23: Elizabeth Gill making her compoyned defence

Wherein not onely the friuolous dis-
course of the Petitioner is refuted, but also the
accusation against the DISCIPLINARIANS his agents
iustified, and the slanderous canons at the present
gouernement discredited by
Matthew Swetlife.

These dreamers defile the flesh, and despise gouernment, and speake
euill of them that are in authoritie. *1 Peter vers. 2.*

Est loqui nesciens, facere timorem passionis. Hierom.
Neither can they well speake, nor wisely holde their peace.

שֵׁים מַעֲשֵׂה זִמְרוֹ וּמִבְּקָשִׁים שֶׁנֶּר כָּסֶנָה

They pretend and seeke the reward of Pharis zeale, but doe the workes of Zimor.

Imprinted at London by the DEPUTIES
of CHRISTOPHER BARBER, Printer
to the QUEENES most ex-
cellent MAIESTIE.

neuer was matter preferred with worse course, which I do
 not speake, for that I would haue either the disciplinarians
 faultes, or penalties aggrauated. (for the faults are grieuous
 inough already, and the punishment I referre to our superi-
 ors:) but least any should surmise they are wronged; or that
 the lawes are rigorous, or that the proceedings of her Maie-
 stie, and officers against them are iniurious. For further de-
 claration whereof, I haue thought good, not onely to an-
 swere the vaine caulls of the petitioner against the proce-
 dings of Iudges, and their sentence pronounced against *Ma-
 dal*, but also to maintaine and iustifie their vpright and good
 dealing therein. It may seeme strange, that lawe should not
 haue strength sufficient to defend it selfe against the malice of
 these men. But seeing the vigour thereof is either dulled, or
 abated, and men suffered to declaime against Iudges & lawes,
 lerne assay, whether with reason & argument we can defend
 lawes: A matter albeit hard, where the readers are such, as re-
 pugne against lawe, and are led forth without reason, yet ve-
 ry easie to be effected, where those that shall iudge, vnder-
 stand both lawe, and reason, vpon confidence therefore of in-
 different, discrete, and wise mens iudgement, I commend this
 chapter folowing to thy reading.

This the preceiding against John Vdell was iust and lawfull, and that the
 plaintiffs are iustly charged with breach of diuers lawes, and guiltie
 of faction, sedition, and diuers other crimes, notwithstanding the excep-
 tions in that behalfe brought by the petitioner, or others, against the lawes
 and Iudges.



Would not haue thought, that any had been
 so lewde, as publicly to condemne Iudges
 of iniustice; or so foolish, as to oppose them
 selues against the execution of iustice, had not
 this lewde libell declared the plarformers
 to be of a strange humor, and malcontent, both with Iudges

and I am by these I doubt not, but I am sure, that
the first in order, should speak against lawes, as that such
and doctrine in disorder, and are voyde of reason should speak
against iustice; & I am sure, that a man utterly unlearned,
and very factious was, as you have heard, condemned upon
the statute of 23. Elix. 1. And for diuers other disorders men-
tioned in the inditement: That it was iustly, & equally done,
as greatest of the offences, being faction, and sedition; the
factious and upright dealing of those honorable persons, that
then were Iudges; the allowance of others the most reue-
rend and learned Iudges in the land, resolving on the case;
the indifferencie of the iurie; the clemencie of her Maiesties
gouernment; the witnesses, and proofes; the fauour offered
to the prisoner; the obstinacie of the parties; the testimonie of
all that was present, can declare. Against all these, a certaine
quidam libeller, lately distracted of his wittes, and yet not well
recovered, taketh on him to argue boldly, malapertly, yea &
very loosely, and foolishly. But his malapert, & saucie dealing
leaueth to governours to be considered; his loose and foolish
disput; I doubt not to make manifest to all that shall heare
his discourse.

His first exception against the sentence pronounced a-
gainst *Radclif* is, For that he dissaues her Maiestie, which she hath
promised for, but *Bishops* that are no parte of her Maiesties body pol-
iticke, nor any of the officers of this realme: wherein he doeth
not onely deny things true, and affirme things false: but al-
so talke of lawe, like a stranger ignorant in lawe, and alledge
an importinent, and not concludent matter. That he dissa-
ued her Maiestie appeared at the time of his trial by his wil-
lings, and out of his seditions sermons, and speeches proved
by diuers witnesss: and cannot now be called in question, se-
ing he that speaketh against her Maiesties supreme gouerne-
ment in ecclesiasticall causes; her lawes, her proceedings;
and all those ecclesiasticall officers which rule vnder her, as
Radclif and his follower *Widdowes*, dissaue her Maiestie;
which cannot be, besides that you might the lord

yes and that much more, then if he should touch her with
person, for that concerneth her government, and therein is
she touched especially as a prince, and hereby her authori-
tie & maiestie disgraced. And therefore seeing that in the com-
mon case of all the puritane faction; all they that write for
their pure government against this state, are diffamers of
her Maiesties princely dignitie.

Secondly, they denieth the Bishops to be one of the three
estates of Parliament, and the Clergie to be one of the three
estates of the Realme; contrarie to the reckoning of this
Realme, and common speech, and actes of parliament, whose
common stile is the Lordes spiritual and temporall, and
commons of the realme, contrarie to the use of the French;
from whence wee had the wordes, and which call the par-
liament the assemble of the three estates: and contrarie to
the reckoning of all Christendome, that divide the realme
into the ecclesiasticall state, nobilitie, & commons; yea con-
trarie to Christianitie. For who will reckon the estate with-
out mention of religion, but such as seeke nothing but their
saule and profit without consideration of religion? in the
actes of parliament made at Edinbrough anno 1584, these
wordes are often repeated. *His maiestie and the three estates.*

And againe: *Our Sovereigne Lord and his three estates in this pres-
ent parliament.* The heathens reckoned but two estates, co-
nting the *nobilitie* and *contingent*. Christians ever reckoned
the ecclesiasticall state one; neither doeth any lawyer say con-
trarie. In a certain report of Iudge *Bar*, wee read, that one
certain lawyer is of opinion (for reason he bringeth none)
that the parliament consisteth of three parties, the Prince, the
Lordes, the commons: but we reason of the parliament con-
sidered as a bodie of itselfe beside the prince; it is in common
speech considered for so we say, the king in his parliament as-
sembled at Westminster, or the king to the parliament, or par-
liament to the king. In which kinds of speech, if you make the
king a part of the parliament, you make the prince to stand with
himselfe, which cannot be. Besides that, you iumble the lords

spiritual

l'assemblee
des troys es-
tats. viz. le
clergé, la no-
blesse, & co-
munaute.

Senatus &
plebem.

P. anno 36,
837. h. 8. f. 60.

dictum, non
probat.

spiritual & temporal together, & in the which is contrary to common speech. For the prince that is head, equal with the parties, and as good as him, which is the endenour of this matter, therefore I say, that the prince is head of that body which consisteth of three estates, viz. the lordes spiritual & temporal, commons: which cōcurring make lawes to binde the people. And thus it is true, that the bishops by law may be called out of parliament. For in all parliaments ordinaunce is made, & let downe in tearmes, what is done, or what shal be done in fact, I wil not say, So the lordes or commons are not excluded, but we reason of law. And if the bishops be excluded, the may the nobilitie be excluded also. For they consist part of bishops, part of temporal lordes, & have equal right. That the bishops cannot be excluded, is manifest by the lawes and customes of our country, & if they departed because they would not be called, or member, which they supposed to be contrary to law, or because they would not decree contrary to law, that was their wilfulnes. That they were present, & holdeth, cannot be proued. Neither I think any lawyer will say it: wherefore that I haue said, that the three estates of parliament, I proue by the good old lawes, statutes, by common speech, by originaill of the charters, & orders of other nations, by common account of Clarendon, and the libeller hath sayd nothing to the contrary. For *Dyer* report, & also in other cases, where bishops have been called both the Clergie, and Nobilitie: which is the same as the two estates, howloever some seeme to make of it, which is contrarie to the reporte of the argument made by the learned do reckon. For he maketh the prince one of the three estates, which of all others is made the head of them.

He affirmeth that many lawes were made the bishops either being neglected, or not called to counsell: but he saith, For it doth not appeare, that ever any parliament was summoned but the Bishops were called: and present, vntill they

and sometimes where
summe of them were handled; or left their voyces
hushed, and some standing still & saying nothing,
I am perswaded that where there are more bishops
about the house of the upper house, no act can passe against
all the commons, and that some acts haue passed by the assent
of the commons, and not of the bishops; and many ancient actes
without the assent, or assent of the commons; & yet should the
libeller say, that if he should deny the lords or com-
mons, he should deny the estates of the land, which some call
Obedience.

In the case of bodies politike, the libeller talketh
not of the law, nor diuine, for seeking the trou-
ble of the church, nor overthrow of the ministry; little doth he
care for what belongeth to policie; and neither
for the prerogative, nor wel defining what
it is, nor how they are made, nor what right
they haue to dissolve lawes, & call Iudges
to account; and to debate persons; and to traduce trials,
and to call in question any act passed, can it be surmised that he vn-
derstandeth the point of law, and who will imagine that
he understandeth diuine; that saith, that bishops haue
one power from God, and men? for albeit, they bee called exter-
nally by men, yet haue they authoritie also from God. doth
he understand, and doe not only ministers, but also inferiour
magistrates haue power both from God and men? if he haue
not learned much, the Apostle will teach him, that there is
no power but of God: and Apostolical writings declare that
the power of preaching & of administering the keyes is from
God; & that Bishops and ministers haue power, and an
external calling given them by men, so they haue a warrant
also for their calling in Gods worde, in which God nowe
speakes to vs; and that these two are not contraries to
haue a calling from God, and another calling from men,
And therefore, where he chargeth vs to speake contraries, he

is much abused. The error was in his overwitted and
blunt head; that could not pearce into this distinction.

But suppose there had bene no error in all this distinction
yet is it absurd, because it is not to purpose. for be there two
generall bodies in the Realme or more: and be it, that the bi-
shops are part of the politike bodie of her Maiestie or not:
if John Fiddell and his fellows have diffamed her Maiestie,
they are to be punished and amongst the rest this fellow which
had bene greatly to bee wished: for then had hee not wearied
the reader with his frivolous discourse.

That they have diffamed her Maiestie, the libeller proueth
by way of obiection, wherein though his skill bee little: yet I
graunte the conclusion, neyther citeth hee with all his skill an-
swere that lieth obiection, which himselfe hat himselfe, what
then neede wee vsa many words to overcome him; what like
a franticke disputer hath wounded himselfe, and made such
an obiection, as he cannot assayle.

His second exception brought against Fiddell's conclusion
on is, for that he wrote not aduisedly, which if it were as conclu-
dent as true: I would yeelde he had reason for most parte it is,
that he wrote not aduisedly. Nay it is a common fault of this
faction, that neyther writeth aduisedly, nor soberly. But it is
no excuse for Fiddell's offence, for albeit he wrote not aduised-
ly, that is, discretely: yet did he write aduisedly, that is, of set
purpose, those things that tend to the disgrace of her Maie-
ties gouernement. Hee wrote also maliciously, and vttered
in his bookes, and sermons seditious matters. And it is not
only his fault, but of diuers other of that sort, which three
points although hee goeth about to clear, yet doth hee no-
thing, but tell vs a long fable of his new discipline, entred into
with malicious speeches, part against king H. the 8. and William Ro-
bert, and part against the present gouernement, filling vp the mea-
sure of the factious confistorials iniquitie.

But before he commeth to this matter, he goeth about to
prooue, that with all his fault of simplicity, hee was a true

[illegible]

gion, and false tales of their confessorie, and counterfeite discipline. The Prophets neuer rayled against authority, nor governors, these raile against ecclesiasticall, & civil gouernours, and al that withstand the. the propbets shewed not theselues vnnaturall to their parents, these professe vnkindnes they did not assemble in seditious sort, nor go about to make newe lawes for the Church, as these did. They neuer by wicked conspiracy went about to establish any newe fancies, as did *Wigginton, Hackett, Coppinger, Cartm, Fdall*, and all that were acquainted with that action. They neuer declaymed against others, being most guilty theselues, as these fellows do, which being most negligent and loose in laboring, most vnlearned and ignorant, full of newe fooleries, doe notwithstanding inueigh against others so bitterly, that as this wise fellow professeth, they wil not spare their father no nor mother, and whye forsooth because they are of those which *S. Paul* speaketh of, and telleth us, that they are without naturall affection.

1. Tim. 3. 3.

This defence therefore is vsufficient: first, for that it is false: for they doe otherwise then they professe. And secondly, for that they confesse in this treatise at vnawares, that they disfaime her Maiesties gouernment, affirming the same to be full of enormous corruptions, and to haue in it reliques of idolatrie, and impietie, and to maintaine a wicked and vsufficiente ministerie: not tating therein, as vnder hand they insinuate, the wicked king of France, and euill tyrants that persecuted the Church. And lastly, for that hee auoucheth, that in those times, no man was accounted a diffamer of princes, that spake against the ecclesiasticall lawes and state, which cannot be prooued.

• The ministry of England is better without comparison, then that of France, Scotland, or Dutchland.

To iustifie his companions doings, he telleth vs further, a long discourse, how they pray for her Maiesty, how they pay subsidies, how they fought for her Maiesty when the Spaniards were here, And how some whom England shall remember while it is England, ventured as farre as any, which is no more then the papists profess, nor the Iewes & Pagans doe, which yeld al duties to popes, & fight when as the Puitanes plaid the cowards, & shew

shew themselves, for I knowe of late that being there
saw very fewe puritanes armed to make this bragge.
But so deinty and oice they are, that they exclaime if they be
not highly rewarded for every little dutie yea for fighting
themselves & their countrey and plainly professe, that with-
out their desires for discipline, they meane to withdrawe all
dutie. And therefore this is but a vaine bragge of praying,
preaching foure times a day, and I knowe not what for their
tumultuous praying, and prating in those times did rather
discourage, then encourage any, and was rather the begin-
ning of tumult, then any encouragement, and hee that prea-
ched foure times a day, had much idle talke, and made many
vnprofitable discourses. But suppose some fewe of these men
shewed themselves loyall, and were so venturous as to come
to Tilburie, or rayle against the Spanyardes; yet others, as it
may well be furnished, were framing supplications, and pro-
viding horse and armes, to come to present them al in armes.
Then did *Martin* frame his seditious libelles; then others
preached seditious sermons, all tending to the weakning of
those that willingly offered themselves in that service. And
Martin senior professeth that when the enimie was readie to
assayle vs abroad, there were a hundred thousand handes rea-
die to subscribe the supplication of puritanes at home, which
saith he, in good pollicie, (we being in feare of our inward force) might
not bee denied, nor discouraged. Then which there can bee no
greater argument of their disloyall proceedings.

Where they are charged with rayling against the princes
gouernement, they excuse it saying, that therein they meant no
more malice to her *Majesty*, then the goodly prophets, that vnder E-
zechiah and Iosiah reprov'd the abuses of the Church, which is a
point, which must bee read with great patience, for who can
else endure to heare them compare themselves to the pro-
phets, their doings to the doing of the prophets, the compo-
sition being so vnlike? Gods prophets were humble, meek,
peaceable, and possessed with Gods spirit. These are proude,
disdaine

disdaigned, contentious, and driven with other spirits. They neuer spake against the state, nor condemned the calling of priests, nor said that the lawes were anichristian and diuine: these stand especially on these points, & abuse the gouernors, and rayle against lawes, and this followes as malepertly, as the best.

He would further make the worlde beleue, *that hiselyents seeke onely for reformation, and doeth euery where dubbe them with names of seekers of reformation.* But grea difference there is betwixt pretence and performanee. *Tache Strawe and Wat Tyler, and Kess of Norffolke,* and all rebels pretend reformation as well as these, but the courses, and deedes of both tend to nothing but disorder, & confusion: the prince they would abase, the Church they would spoyle, the ecclesiasticall state they seeke to abolish: learning and rewardes in all places where they come, they take away. Moreover hee goeth about to prooue, *that bishops may be hated for their doctrine:* and first, for *that they impugne that, which heretofore they haue taught.* but neither is his consequent good, nor antecedit true. for albeit that bishop *Elmar* spake sometimes against the excesse of bishops linings, as he then imagined, not knowing in what state they stood, yet did he neuer condemne the degree and dignitie of bishops. nor did bishop *Bollingham*, as it should seeme spake against the manners of others then papisticall bishops: assuredly against the degree of bishops he neuer spake. Neither are the opiniōs of one or two, to be ascribed to all: but if they which speake contrary to themselves, deserue hatred, what doeth *Tho. Cartw.* deserue, that in many things speaketh hee knoweth not what, in some things contrary to himselfe, as in election of ministers, power of the presbytery, and diuers points? And what doth the Libeller deserue that confesseth hee talketh he knoweth not what, contrariying his whole discourse? Another reason hee bringeth to prooue that bishops may iustly be hated, and that is because they confesse (saith he) *infinite abuses to be in the church.* But the ground of the reason is false:

which is derogatorie to her Highnesse authoritie, and contrary to practise of Lawe. For whencesoeuer any lawe is deriued, yet is it the lawe of that countrey, where it is practised. The lawes of the *Romanes* for the most part were borrowed of the *Athenians*, and *Spartians*: yet were it absurde to call the lawes of the twelue tables, the *Lawes of the Greekes*.

Thirdly, ignorantly he supposeth, that the statute condemneth forreyn lawes; yet doeth it not speake of any forreyn lawes, but onely of the ecclesiasticall lawes of *Englande*: the equitie whereof is so apparant, that if twelue Consistories, and so many *Scribes* and *Proctors* should all ioyne their heads together, yet could they not deuise any one lawe so equall; as the worst of these, that are in vse. and those that haue gone about to make other Lawes, and correct the olde, haue committed such errours, as their friendes may bee greatly ashamed in their behalfe. The Ordinances of *Geneua*, and articles of *French discipline*, and that pelfe that ours call *Holy Discipline*, shall testifie this to bee true, as by particulers I will shewe, when neede is. Lastly, they charge the Bishops for putting in vre forreyn *Constitutions*, and yet cannot name one. But if the Bishops offende, that execute her Maiesties Lawes; howe will this Accuser answere for his Clyents, that haue in secrete conuenticles enacted, and also practised *Canons*, and Lawes directly contrary to her Maiesties Lawes, and Prerogatiue, and therefore are to suffer imprisonment, and pay fine at her Maiesties pleasure, by the same statute they alledge against vs.

Such Canons and Constitutions onely as bee not repugnant to the Lawes, Statutes, and Customes of this Realme, ought to be put in practise. 25. H. 8. c. 19. *But the bishops giue sentence in infinite matters, which would be otherwise ruled by the Common Lawes.*

If the Bishops or other Ecclesiasticall officers should deale either contrary to Lawe, or without warrant of Lawe, they coulde not escape punishment, hauing so many spitefull eyes to watch ouer them: neyther (if they should attempt it) would

* In their meetings at *Warwicke*, *Cambridge*, *Oxford*: especially, when the new discipline was vpon forging.

Article 5.

Answer.

would the reuerend Iudges which we see in this
in this case, permit it. If they doe against the lawes of the
Realme, why are not the lawes named, and men charged with
the fact noted? This silence of the babling accuser is their
sufficient discharge: and his vaine discourse voyd of reason,
a condemnation of his babbling.

*The Bishops haue reckoned such men as be not by our orders, and
sers in reformed Churches, to be lay men.* Article 6.

All haue not so reckoned them, yet if they haue, it is
not done it without cause. for they the same lawe, which
only mutual betwixt the minister, & that particular congre-
gation whereof he is made minister: and that particular congre-
gation cannot appoint ministers for another, and therefore
allow none, but made after our orders. Why then doe they
made ministers packe away to their makers? Why doe they
run away from their congregations like secretaries from
from their stations? Here they haue no calling, as the
priests, and they alike may wel be accounted as such, with
no calling, being both by their owne doctrine, and by the
rute of 13. Eliz. c. 12. debarred from the ministeriall
their hatred to the Church, most vnworthy of any ecclesiastical
call function, or to liue in the Church which they
might and malice they haue oppugned.

*The law requireth a subscription to articles of religion, which
concerne the confession of true faith and doctrine of sacraments.* Article
Eliz. c. 12. The bishops urge a subscription to the booke of articles
and diuers ceremonial and transitory matters, neither concerning
faith nor sacraments.

The statute requireth subscription to the booke of articles,
and euery article therein contained: among the which is the
doctrine concerning our ecclesiastical regiment & Hierarchie.
that is cleare by the words of the statute, that mentioneth the
booke, and al the articles therein contained, and by interpreta-
tion of the most learned lawyers. And if it were not so, the
would it followe, that a great part of that booke which the

R

parliament

...*petitions,*
... is roide, which were to enet
lawe bookes (as these doe) not to interpret lawe. Neither
doth it helpe the platformers, that the title of the booke is,
Articles concerning faith and sacraments. For things are deno-
minated of the greatest part: and in our account, matters of
gouernment are directed by the word of God, which is the
ground of faith. Neither woulde it bee taken, if any papist
should take exception to any article in that booke, and not
be punished: for that it apperteyneth not to faith, nor sacra-
ments. But for the allowance of lawes and statutes, the Bi-
shops require the subscription that is required vnto three arti-
cles, which is sufficient warrant. In vaine therefore woulde the
bishops denie lawes by law: and disloyally doe they
denie the lawes of the kinges authoritie, yea in cases, wherein they
cannot take any iust exceptions, bluntly subscribing to al the
lawes of the Realme of *Genes*, to the which wee can take so many
exceptions. But if it be such a fault to make men
subscribe to lawes, whereunto euery man is supposed to yeeld
as to a parliament, and whereto euery one ought to
subscribe, the punishment doth T.C. and his bold companions
denie that subscribed to canons & constitutions, made in a
council, by ouerthrowing her Maiesties supremacy, &
repealing her lawes, & a great part of the lawes of the realm,
if they were received. And if subscription bee so heynous a
crime, why is it required at *Genes* & in *France* to most sim-
ple men, not for gouernement, but for the vtter debasing
impoverishing and overthrowe of the ministry: as too late
now the ministers in euerye there begin to feelee why should
it, I say, be more lawfull there, then with vs?

If the bishops publish any Canons, or orders to be practised without
the royal assent of her Maiestie, they should bee fined and impriso-
ned, as they are, yet notwithstanding this statute, they publish sub-
scriptions in their prouinces, and articles in their Dioceses without
any assent of her Highnesse.

The end of this article is to haue the bishops imprisoned
and

and fined according to the rules of parliament, and by such
meanes and proofes; whereby the articles themselves cannot
effect it, are all too weak. For they can neither prove, that
they haue published Canons, constitutions, and prelatall
ordinances without the princes assent; nor that they haue
done any thing therein against law, nay albeit in their sub-
scriptions they require nothing but obedience to law: yet
did they not require them without speciall warrant. But
(saith the accuser) they publish new subscriptions, & new
Goodly stuffe. As if either subscriptions, or articles, or can-
ons, or constitutions, or ordinance, for the better or worse of
priuate articles about matters in ciuill courts, could be law
to make new lawes. It appeareth the man is but a lawyer
law, that knewe not what is law. That hee can not stand
derstand, that the ordinances of discipline made by the
his followers, were made contrary to this law. And there-
fore if they desire Iustice to be done: let the law be
led vpon offenders, and let innocents be restored.
*Hereticallicall officers, except from subscriptions, and
subscriptions, and make them subscribe, and make them
subscribe.*
If they take it for a licence, it is no more than a
sugger, yea a Scriuano, that for writing a licence, or a
rule: be shew therefore both by publishing, and by
ding as to the several qualities of their offences, and by
and excusations answers for their excusations.
nor I excuse them, nor I favour them. For the
discholerasters, how can it be mended, seeing a
confirmation of law, & exalted of them, least they should
bilde discontent, & schismaticall & hereticall, and
their soulders minds as but too many factions and
schoolmasters haue done to the great prejudice of the
Church, and state, the more haue they to ascribe to, that
haue suffered them; and more care ought men to take,
that such nurseries of rebellion bee not suffered. But what
reason hath this pettifogger, or the scriuano his suggestor to
condemne subscriptions, seeing both of them win more by

knowing, nor subscribing, then any ecclesiasticall person I
know in England.

By the great charter none may bee imprisoned, but by the lawfull
iudgement of his Peeres, or by the law of the land.

By the lawes of the great charter the priuiledges of the
church, & state ecclesiasticall, are with most pregnant termes
confirmed. And yet this faction without regarde either of
charity, or lawes, or honor of the prince that is sworne to
maintaine them, or of the reputation of the realme, that stan-
de in the maintenance of Gods church & religion, goeth
about to subvert both the ecclesiasticall state, and all the
priviledges, rights, & priuiledges of the church, if then he think
it his duty to mingle the lawes of *Magna Charta*, what pre-
iudice it doth, that he & his companions directly oppugne
the lawes of the contrary side, he cannot charge any iustly with
perjury. Let him if he can name any, that hath im-
posed any contrary to the lawes of *Magna Charta*, if he can
say any doth he speake of imprisonment to no purpose? If
he say any such matter of bishops, he doth them wrong.
If he say any such matter of the Episcopall, if he speake
of any such matter of Commissioners in causes ecclesiasticall, he is
to be taken for a slanderer, if they being of the most honorable
and iudges in the land, they will not doe any
thing against law. Nor doe they commit any, but contemne
the lawes, whom no lawe may spare. That they punish
without due hearing vniuersally, is a vniuersal. To say, that an
offender really a magistrate is vaine, is both disloyal, and
ambitious. But all this rigour is clemencie, in respect of
the conditionall proceedings. For there men are censured
by opinion, and ministers disgraced vpon suspicion, and
Calixtus put a syndicke and diuers chiefe men of *Genoa* to
their oathe, to answer whether they had bene daunting
at widow *Baltazar* house: and after that remooued diuers
of them from their places. he that liketh these orders, must
needes commend ours.

Articles, and questions

Article. 11.

By the common law, a man shall not be examined in matters that sound to his reproch. Crompton

Answer.

Crompton worde is no measure of lawe. The common law hereof is lawe, by the opinion of the most learned Judges in England. It is the practise of the court of Chancery, of the court of the coucel of the marches, & principallities of Wales in the court of Starre chamber: whereas the parties examined vpon their othes, vpon perjuries, forgeries, and other misdemeanors, Suppose it be at the instance of some which notwithstanding is not alwayes vpon the othes to discouer things reprochfull, yett is a thing full and very common, and most necessarie. If a lawyer was he, that vnderstood not so much of the other courtes of recorde at Westminster, the court of corporall othe examining any person, whose name is suspected to haue dealt lewdly about any wrong, or against the rule, & such like matters. By the statute of Coroners, the enquirors shall make the Bailiffs, they shall conceale nothing, no, though it be perjury. Masters of shippes are to bee put to answer, and vpon the statute of money 19. Edw. 3. c. 9. Vnder committed any fraude. So likewise, they that on the statute of hidories, must answer for the othe, though the matter be penall. The statute of wines 24. H. 8. c. 2. of hanchamps 24. H. 8. c. 4. by the statute of supremacie, by the statute of Supremacie 1. H. 8. c. 13.

Statute made by the King's Counsel

Statute

Statute of the King's Council

In appeals at the Common law, the defendant is battell is driven to sweare. A Juror departing from the companie, was examined on his othe, whether he had talked with the defendante, yett if he had confessed it, the same had bene penall 14. Edw. 3. fol. 1. In an action of forme, couin being found by othe in the defendante, he was punished by the Iudges discretion. 1. H. 4. fol. 195.

The othe of supremacie may be giuen. E. c. off. by any

Statute

the refusal whereof is verie penall. In the title, Consultation, diuers cases are founde, wherein the Iudges ecclesiasticall proceedinge *ex officio* is allowed. Why then may not ecclesiasticall commisioners proceede *Ex officio*, and minister iurisdiction? For that which this accuser sayth, *that for matters of felonie they excommunicate their members* is false. For with these cases they doe not meddle. If the articulator can proue they doe, why doe he not declare it, seeing he may thereby procure them the same punishment? I will not say he doeth.

otherwise, doeth minister an othe to the people. The bishop doeth not appoynt men to appeare before him, nor calleth them by proces of lawe. But these are but words in termes. A grosser fault it is, that he misseith the lawe. For whatsoeuer *Fitzherbert* setteth downe, is lawe in that especially of prohibition. For nothing is more ordinate, then to reuerse prohibitions by consultations. The meaning of the wordes of *Fitzherbert*, or rather of *Becket*, whence he drew his writte, was: That men should not be called into ecclesiasticall courtes to combat with laymen concerning goods or chattels by othe, by which the ecclesiasticall court encroched vpon other courtes. Only causes Matrimoniall and Testamentarie (which to other it cannot bee extended) were excepted. In a matter of Tithes, and other causes men answered by othes, is euident; for that the Kings remitteth such causes to others, answered before Ordinaries, and were excommunicate for their contumacie. In matters of the 2 contempters of the ecclesiasticall process, were condemned, and may bee forced to obey. And by a statute it is decreed, That the 3 Ordinaries should proceede such, as withhold Tythes, according to the ecclesiasticall. Likewise the ecclesiasticall Iudges should proceede against those that violate the lawe of the uniformitie of Common prayer. yea, *Fitzherbert* writteth, that an ecclesiasticall Iudge may excommunicate a layman, before he deliver a man that is in prison. *De excommunicato capiende*. False is the saying of this bolde and blinde bayarde sayth; That laymen should presume against lawe. Nay, he and his companions do daily presume, both against lawe, and common humanity. For both doe they runne into felonies and treasons, and also speake against lawe, and defend their doings, and rile against others, that gently put them in minde of their faults.

An. Cl.

Ed. 1. 1. 1.

2. H. 1.

3. H. 1.

Eliz. 1.

Non.

in. bre.

13.

at. 1. 1. 1.

Morning